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THE

*The Editor*

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# CONSTITUTION

OF

## THE CHURCH OF SCOTLAND,

AS ESTABLISHED AT THE REVOLUTION

1689-90;

EXEMPLIFIED IN THE

ACTS OF THE ESTATES OF PARLIAMENT AND THE  
PROCEEDINGS OF THE CHURCH.

BY

ALEX. PETERKIN,

SOLICITOR SUPREME COURTS.

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## P R E F A C E.

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ALTHOUGH the Presbyterian Church of Scotland was first established as the national system of religion and ecclesiastical polity, in 1592, and was again revived in 1642 by the authority of the supreme legislature, yet it is to the era of the Revolution 1688 that we must look as that in which its constitution, as it now exists, is to be found most distinctly developed. Almost every period of its history has been largely illustrated, except that, perhaps, which it most behoves the present generation to know and to study carefully. In addition to the olden chroniclers, and the muniments which these and the national records embody, the historical works of Principal Robertson, Dr Cook, Mr Laing, and Dr M'Crie, contain very ample details of everything characteristic or interesting in the earlier progress of our northern Establishment. But none of those historians, with one exception, bring down their narratives beyond the time of the Revolution; and from that date till the rise of the great secession, betwixt the years 1732 and 1740, the annals of our Church, beyond what is to be found scattered in the statute-books of the State and the Church, are extremely meagre, unsatisfactory, and ill adapted for affording general information. In these circumstances, and in reference more especially to certain recent movements which enter deeply into, and are calculated materially to affect, the Establishment of the Scottish Church, it has been suggested that an authentic

and impartial account of our REVOLUTION CHURCH ESTABLISHMENT may be useful, at a season when the country is agitated with projects of innovation upon its bases, and when the legislature is likely, ere long, to be called on for its interposition, in composing the controversies which at present create a considerable commotion in the country.

It was the Editor's intention to recommence his labours in the compilation of the "RECORDS OF THE KIRK," (of which one volume has already been given to the public, extending from 1638 to 1654, when the Presbyterian Establishment was extinguished by Cromwell,) in a continuation of that work, beginning at the Revolution, when it was restored. But he has found the research and collection of materials requisite for the satisfactory accomplishment of his purpose so extensive, that he has been prevented by other avocations from prosecuting that design, for the present at least, more especially, as the earlier portions of his contributions to the ancient ecclesiastical history of Scotland, have not hitherto adequately remunerated those who ventured on the undertaking. Recent occurrences, however, and the present aspect of the fortunes of the Church, have suggested to him, that it may be of some importance, both to the public and the legislature, to publish, without delay, in a convenient form, all the documents which are requisite for affording a correct view of the constitution of the present Church Establishment in Scotland, as it was revived and new-modelled at the epoch of the Revolution. Very erroneous notions prevail both with respect to that constitution and to the working and effects of it,—the period from 1690 to 1712, when patronage was again restored, being currently represented as one of the golden eras in its history.\* The most

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\* Dr CHALMERS.—"It should never be forgotten that the Church was never more efficient as a christian and moral institute than from 1690 to 1712,—and that in opposition to the lying preamble of Queen Anne's act for the restoration of patronage, there had only occurred fourteen disputed cases."—*Correspondence with Lord Aberdeen* p. 42.—*Vide also Mr Begg's Lecture on Patronage, &c.*

effectual antidote to such illusions is the examination of the muniments and records of the period,—the real facts of the case being infinitely preferable to any theories which have been hazarded on the subject. And hence, although the Editor cannot all at once accomplish the whole that he had in view, he humbly thinks that it may be of advantage to digest and publish, in as narrow a compass as possible, all the acts of Parliament and of the Church at the time of the Revolution, and for a short period subsequently to that event, along with such additional illustrative matter as has come within his reach. Such is the object of the present publication.

Amongst the illustrations which he purposes giving, there are two portions that derive their value not more from their newness to the public than from their intrinsic qualities. During the most critical period of the Revolution, George Earl of Leven and Melville held the important office of Secretary of State for Scotland; and, in that character, he necessarily had extensive correspondence with all the leading Scotchmen of the time. Of that correspondence a large portion has been preserved in the repositories of his descendants; but with the exception of a very limited portion, which was printed for private circulation last summer by the Hon. W. Leslie Melville, none of that correspondence has hitherto been given to the public. It is, however, about to be printed by the Bannatyne Club; and when the whole shall appear, it will throw much new light on the secret springs by which that great movement was accelerated to its accomplishment. In the meanwhile, the Editor of these sheets has been allowed access to those valuable papers, and most liberally permitted to make such selections as he deemed fitting for his purpose. Of that polite indulgence he trusts he has made a discreet use,—confining his excerpts entirely to such passages as bore most emphatically on the affairs of the Church.

The other document to which he refers, is an authentic copy of the minutes of the General Assembly that was



held in 1692, being the second after the establishment of the Church in 1690, but of whose proceedings no authentic report has ever been printed, so far as can be discovered, either in the acts of the General Assembly or otherwise. It is the more important that the proceedings of that Assembly should see the light, inasmuch as it was dissolved and dismissed by the authority of the Sovereign. Such an event is instructive as a practical interpretation of the constitution of the Church, then so recently established,—and, as such, it is now presented to the public.

*Edinburgh, 20th April 1841.*

•• Table of Contents and Index, *apud finem.*



## INTRODUCTION.

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It does not come within the scope of our design, in this tractate, to enter on minute historical details of the events which occurred from the time that the Presbyterian Church of Scotland was extinguished as an establishment under the usurpation of Cromwell, and during the reign of Charles II. or of his brother James II. At the time of Cromwell's invasion of Scotland, and, indeed, for many previous years, the Presbyterian clergy had attained an ascendancy in the political government of the country, which was altogether incompatible with the existence both of monarchy and a mixed form of government, or with public liberty. Their rule became an ecclesiastical democracy, which, like all other democracies, fell to pieces in consequence of its own internal convulsions; and, from the date of Cromwell's conquest, brought about mainly by the fanatical zeal of the Churchmen and their associates, the Presbyterian Church was in a state of abeyance, till 1690, as a recognised national institution.

The gloomy and despotical puritanism which the clergy enforced in the times of the Covenant, and even afterwards, so far as their power extended, gave way at the restoration in 1660; and the factitious austerity and seeming devotion which had been produced by a coercive clerical inquisition among the people, was speedily succeeded by a flood of licentiousness which then overspread the land. It were superfluous to dwell on the scenes which

followed during the period of twenty-eight years, as these have been fully illustrated in the pages of the industrious Wodrow, \* and in numberless other works relative to a portion of our history, which is a scandal to our country and revolting to every well-constituted mind. It is sufficient for our present purpose, and as a fitting introduction to the various documents which follow, to give a brief sketch of the causes which more immediately operated in bringing about that most important event to which our attention is now more peculiarly devoted.

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The great and efficient cause of our Revolution was the inordinate assertion of arbitrary power by King James II., acting under the influence of Popish principles and Popish counsels. This tyranny and contempt of the laws, by the King and his Popish advisers, produced a simultaneous revulsion and resistance in the whole nation, and led to the Revolution in 1688.

Although the lights of the Protestant faith had unshackled the national mind in Britain, to a considerable extent, in the reign of Queen Elizabeth, yet the despotical principles of that Sovereign, and of her successor James, (the first who ruled over both England and Scotland,) as to political doctrines, assumed as a basis the divine right of kings and the passive obedience of subjects; and the limitations which were adopted practically as rules of government, were rather modifications of these, than clear and recognised laws to which the subjects could appeal. Charles the First, acting under the influence of these prejudices with more tenacity than wisdom, precipitated both kingdoms into a situation in which nothing remained but an appeal to the *ultima ratio regum et hominum*,—the sword. Civil war ensued; and, in the end, terminated in his falling a victim on the scaffold by the hands of his subjects.

This was followed by its natural consequences,—a mili-

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\* History of the Sufferings of the Church of Scotland from the Restoration to the Revolution,—1722.

tary usurpation,—a compound of force, of fraud, and of hypocrisy. And when this fell to pieces by the demise of Cromwell, whose commanding personal talents alone sustained his government, the restoration of Charles II. was effected, partly by the tergiversation of General Monck, and partly by the national feeling in favour of a legitimate hereditary monarchy.

Charles II., while an exile in France, changed his religion, and became a Papist.\* When, however, in 1650, he arrived in Scotland, and before landing on its shores, he subscribed the National Covenant, repudiating the tenets of Popery; and again he adhered to that oath when crowned at Scone. But the fortune of war drove him once more into exile, and it was not until 1660, upon Cromwell's death, that the restoration was effected, after twenty years of civil war.

“The fairest hopes (says Mr Laing) were entertained of the prosperity of the new reign, which nothing could have disappointed but the misconduct, or rather the crimes, of government; the predilection of Charles for a foreign interest, his secret attachment to the Romish faith, and, above all, his perseverance in the *arbitrary measures* which his father had pursued. It was from these and other causes that the government of Scotland became hostile, and gradually odious, to the people, till it degenerated at length into a sanguinary and cruel despotism, for which there was no cure but the expulsion of the Stuarts.”†

And Mr Fox informs us,‡ that after the fall of Clarendon, “the King had entered into that career of misgovernment which, that he was able to pursue to its end, is a disgrace to the history of our country. If anything can add to our disgust at the meanness with which he solicited a dependence upon Lewis XIV., it is the hypocritical pretence upon which he was continually pressing that Monarch. After having passed a law making it penal to affirm (*what was true*) THAT HE WAS A PAPIST, he pretended (which was certainly not true) TO BE A ZEALOUS AND BIGOTED PAPIST,—and the uneasiness of his conscience at so long delaying a public avowal of his *conversion*, was more than once urged by him as an argument to increase the pension, and to accelerate the assistance he was to re-

\* Burnet, vol. i. p. 117.

† History of Scotland, vol. ii. p. 2.

‡ Hist. James II. p. 28.



ceive from France." (Dalrymple's Mem. ii. 33, &c.) " Though neither the nature and extent of his connection with France, nor HIS DESIGN OF INTRODUCING POPERY INTO ENGLAND, were known at that time as they now are, yet there were not wanting many indications of the King's disposition, and of the general tendency of his designs."\* Charles "died in the bosom of the Romish Church,"†—so that while, like a true hypocrite, he *professed* to be a Protestant, and swore to maintain the true Protestant Churches, he was in truth a Papist, and lived and died in that faith.

The fact of Charles II. being a Roman Catholic being now established by evidence which is altogether indisputable, it may be proper to attend to the character of the *ministers* and counsellors which it brought around him, and to the consequences which flowed from the principles of government on which they acted.

Without going into a detail of all the enormities and atrocious instances of tyranny which distinguished the court and the reign of Charles, we shall, for the sake of brevity, quote from the historians alluded to, some notices of these particulars.

It is certain that this King of Britain was, during the greater part of his reign, a traitor to his country, and a corrupted pensioner of a foreign power,—and under the influence of Popish principles. Mr Fox informs us, upon the authority of historical evidence which admits of no challenge, that the King having secured to himself a good pension from France, dissolved the parliament of Oxford, "with a full resolution *never to call another* ; to which resolution, indeed, Lewis had bound him as one of the conditions on which he was to receive his stipend. No measure (says Mr Fox) was ever attended with more complete success. The most flattering addresses poured in from all parts of the kingdom : divine right and indiscriminate obedience were everywhere the favourite doctrines ; and men seemed to vie with each other who should have the honour of the greatest share in the glorious work of slavery."‡

"The whole history of the remaining part of his reign (continues Mr Fox §), exhibits an uninterrupted series of attacks upon the liberty, property, and lives of his

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\* Fox, p. 29.    † Laing, ii. p. 138.    ‡ Fox, p. 43.    § Ibid.

subjects. The character of the government appeared first, and with the most marked and prominent features, IN SCOTLAND. The condemnation of Argyle and Weir,—the one for having subjoined an explanation when he took the test oath, the other for having kept company with a rebel, whom it was not proved he knew to be such, and who had never been proclaimed,—resemble more the acts of Tiberius and Domitian, than those of even the most arbitrary modern governments.” “The terror of these examples would have been, in the judgment of most men, abundantly sufficient to teach the people of Scotland their duty, and to satisfy them that their lives, as well as everything else they had been used to call their own, were now completely in the power of their masters. But the government did not stop here; and having outlawed *thousands* upon the same pretence upon which Weir had been condemned, inflicted capital punishment upon such criminals, of both sexes, as refused to answer, or answered otherwise than was prescribed to them, to the most ensnaring questions.” Mr Fox then gives a similar account of the oppressions in England: “Convictions against evidence, sentences against law, enormous fines, cruel imprisonments, were the principal engines employed for the purpose of breaking the spirit of individuals, and fitting their necks for the yoke. But it was not thought fit to trust wholly to the effect which such examples would produce upon the public. That the subjugation of the people might be complete, and despotism be established upon the most solid foundation, measures of a general nature and effect were adopted; and first the charter of London and then those of almost all the other corporations in England, were either forfeited or forced to surrender.” To consummate the establishment of despotism, he ordered a declaration to be framed, in which he asserted, “that as the crown was the origin of the rights and liberties of the people, so was it their most certain and secure support!”\*

The heart grows sick at the recital of horrors and political murders which then filled the kingdom; but we may just quote as examples, that for the death of Archbishop Sharp, five persons, “innocent of the Archbishop’s blood, were selected to expiate his murder at Magus Moor,—twelve hundred persons, conducted from Bothwell, were

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\* Fox, p. 56.

confined in the Greyfriars' Churchyard, where they remained five months, uncovered and exposed to the inclemency of the season. Of these a portion "were shipped for the plantations,—but the vessel was lost in the Orkneys; and, from the inhumanity of the master, who refused to release the prisoners, 200 perished in the wreck."\*

The country was at length relieved from the oppressions of this profligate and unprincipled tyrant by his death in 1685; and it may be an instructive lesson in the present times, to look back to the characters of the advisers and instruments of his butcheries and oppressions. They were one and all of them like himself, either Catholics, or men utterly destitute of all religion, and steeped in every vice and crime by which the *personal* characters of public men can be "damned to everlasting fame,"—such men as are ever readily found when the purposes and doctrines of arbitrary power are to be carried into effect,—men destitute alike of private virtue and of honour as public servants.

Among his counsellors, his brother, James Duke of York, must be regarded as the chief; and it may be mentioned, as a proof of his own devotedness to Popery, that soon after his accession, that person published an attestation of his brother's having died a Roman Catholic, along with two papers drawn up by him *in favour of that persuasion*,†—documents which show, when contrasted with his persecution of the Presbyterians in Scotland, that he *acted* on the principle of no faith being kept with heretics; for he murdered, tortured, and hunted to the death, those very men with whom he had united in an obligation to abide by the Protestant religion, merely because they were faithful to their oath and to their God, and he himself was a perjured apostate. Of James's character we shall speak hereafter.

The chief English counsellors of Charles were Halifax, Rochester, Sunderland, and Jeffries; Monck, too, was his military tool. The first of these signalized himself by opposing the bill for excluding James as a Papist from the succession, and then supported him in all atrocities. The second was the most abandoned profligate of a profligate age. Sunderland first supported the exclusion bill, but was *converted*,—and again (upon James's own authority), he was *reconverted*, and plotted for banishing Charles once more

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\* Laing, Wedrow, &c.

† Fox, p. 95



Lauderdale - see cutting from  
Scottish Daily Mail of 3/3/52 inside  
book covers

from the throne, and placing the crown on Monmouth's head. The character of Jeffries was written in blood, and has not one redeeming trait to rescue it from infamy. Monck was one "than whom a baser could not be found,"—the tool and adulator of an usurper, and afterwards the *converted* tool of a tyrant. These were the worthies,—the *converts* of former times in England,—and those in Scotland are well delineated by Burnet and Mr Laing. They were the confidential servants of the Popish Charles and of his Popish successor.

"They were almost perpetually drunk,"—"and the commissioner Middleton often appeared so drunk upon the throne, that the parliament was adjourned." "The most licentious intemperance and excess of debauchery were termed loyalty,—gravity, sedition." "Lauderdale was originally not less attached to the Covenant than afterwards to the court,—he engaged in its measures with the zeal of a proselyte, determined that no compliance should be omitted to promote his ambition or preserve his place."\* Sharpe, originally a Presbyterian minister, was intrusted by his country to negotiate for the restoration of Charles on the terms of the Covenant, but was *converted* by the Primacy of the Scotch Episcopalian Church. "He was vain, vindictive, perfidious,—at once haughty and servile, rapacious and cruel." "His apostacy was never forgiven by the Presbyterians; but, instead of disarming their resentment by moderation, he became an unrelenting persecutor, like most apostates, actuated by a hatred to the sect which he had deserted and betrayed." But the character of the whole group is so well depicted in the following sketch, that is quite sufficient without any further particular details.

After the oppressions of the government had rendered the people of Scotland desperate, a shot was fired at Sharpe, in the High Street of Edinburgh. Sharpe had observed a person who eyed him attentively, and when arrested, he proved to be Mitchell, a preacher of the persecuted Covenanters. "A loaded pistol was found in his custody, but no proof appeared of his actual guilt. A solemn promise was made by Sharpe to procure a pardon if he would confess the fact. On the most solemn assurance of life, confirmed by the *Chancellor, Commissioner, and Privy Council*, he acknowledged the attempt to assassi-

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\* Laing.

nate the Primate." "The perfidious council proceeded to determine what punishment less than death might be inflicted on the crime. The Justiciary Court was *instructed* secretly to pronounce a sentence for the amputation of his hand; but when produced to renew the confession at the bar, the whisper of a judge in passing admonished him to acknowledge nothing, unless his limbs as well as his life were secured. The torture was next applied, under a false pretext, to extort a confession of his concern in the insurrection of Pentland, and after enduring the question till he fainted under the strokes of the executioner, he remained four years in the fetters, forgotten in the solitary confinement of the Bass. At first it was proposed to cut off both his hands, but this was prevented, not from humanity, but by a jest of Rothes too gross to be transcribed."

"His trial, on the return of Lauderdale, was now resumed at the instigation of Sharpe. Nisbet, the King's advocate, was displaced for Mackenzie, who, as Mitchell's counsel in the former trial, could not be ignorant of the assurance of his life, yet preferred an indictment against him for a capital crime. Primrose, from the lucrative office of Clerk Register removed to be Justice-General, transmitted privately to his advocates a copy of the act of council, in which the assurance was contained. His former *extrajudicial confession, the only evidence of his attempts to assassinate* a prelate and a privy councillor, was attested by Sharpe the Primate, Rothes the Chancellor, Lauderdale High Commissioner, and Hatton a Lord of the Treasury and Session, who did not scruple, in their zeal to convict the prisoner, to declare on oath, that no assurance whatever had been given for the preservation of his life. "The copy of the act of council was produced,—the books of council, deposited in the adjoining chamber, were demanded as evidence for the prisoner, since his extrajudicial confession before the same judicature was admitted as proof. *But the Duke of Lauderdale, as a witness not entitled to speak*, interrupted the court in a strain of imperious authority; declared that the books of council contained the secrets of the King, which no court could be admitted to examine; and, concluding that the four councillors came not there to be accused of perjury, it was immediately understood that they were all forsworn. The court, intimidated, perhaps, by his threats, determined, by an obsequious majority,

that it was too late to apply for production of the record, of which an authenticated copy had been refused by the Clerk. But it is observable, as a melancholy instance of the depravity or servility of the bench, that the Justice-General, who furnished a surreptitious copy, and had previously admonished Lauderdale of the existence of the act, possessed neither the virtue nor the fortitude to attest the fact, as a witness or a judge, but pronounced the condemnation of a man to death, whom his evidence should have preserved.

“ Before the jury had returned a verdict, the four lords, as soon as the court adjourned, examined the books of council, *where the evidence of their perjury was recorded, and is still preserved, to their eternal reproach.* Their conduct sufficiently evinces the persuasion under which they acted, that there was no record of their assurance to Mitchell; and they still affected to believe, that nothing more was intended than a promise to intercede with the King for his life. The blame was transferred from the Chancellor, who subscribed, to the Clerk, who inserted the assurance in their minutes; the latter discovered that the act of council was framed by Nisbet, from whom they proposed to levy a severe fine; but he procured nine privy councillors, who offered to swear,—Lord Hatton’s letters were produced to prove, that a full assurance of life had been approved and confirmed by the privy council, when engrossed in its books. Lauderdale was at length inclined to grant a respite till the King was consulted, but the Primate was inexorable. He urged that the example was absolutely necessary to preserve his life from assassins, to which Lauderdale assented with a profane and inhuman jest.

\* \* \* \* It was the ardent desire of ministers to involve the whole body of Presbyterians in his guilt; but in the prosecution of this object they incurred the just imputation of more detestable crimes. Horror and universal execration were excited by the treachery and perjuries of the first ministers in the Church and State.” \*

Such were the characters of the men and ministers who ruled this country under Charles II., and under his brother James II. on his accession in 1685; and although it has been said that all those men were Protestants, and that their atrocities were perpetrated



to establish Prelacy, it must be obvious, that, so far from being Protestants, they were unprincipled apostates, devoid of all religion, and all sense of moral obligation. The tyranny, of which they were the fitting instruments, was unquestionably Popish in all its characteristics,—in the tenets of the kings, whose arbitrary and intolerant principles they upheld,—and these were first vented on the Presbyterians of Scotland, because they were the more powerless of the two Protestant Churches established in the country, and more hostile in their notions to the doctrines of passive obedience. The Church of England was still too powerful to be openly assaulted; but it was destined, by the great champion of the Papacy in those days, to fall ere long by the surer processes of sapping and mining; and he displayed his stratgy, as will be done by all after him who have the same objects in view, not by a bold and direct attack upon the unbroken phalanx, but by penetrating the extended lines, and cutting off the least protected wings of the opposing power. This is no mere theory; for no sooner had James quenched the established religion and the liberty of Scotland, as he thought, in the blood of the country, than he threw off the mask, and aimed direct attacks upon the Episcopal Church of England; and this he did, by adding to this band of Protestant apostates and infidels a dominant and auxiliary horde of Catholics.

On ascending the throne, he made a declaration to his council, that he would follow his brother's example in *clemency and tenderness* to his people, and disclaimed being a man for arbitrary power. "I shall make it my endeavour to preserve this government both in Church and State, as it is now by law established." He said he would always take care to defend and support the Church of England, and "never invade any man's property," and "go as far as any man in preserving the nation in all its past rights and privileges."\* And before commencing his attack upon the Protestantism of England, he began his operations by an experiment upon a parliament in Scotland. His letter upon that occasion gave similar pledges and promises with those in his declaration to the English council; but it will be seen how *sacred* and *inviolable* is the word of a Popish prince, when *expediency*,—that paramount prin-

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\* Kennet, iii. 420.

ciple among convertible statesmen,—presents itself in “gigantic power.”

The “clemency” and “tenderness” of James were illustrated very satisfactorily in a letter, in which he said, “Lord Chief Justice (Jeffries) is making his *campaign* in the west. Lord Chief Justice has almost done his campaign; he has already *condemned several hundreds*, some of whom are already executed, more are to be, and the others sent to the plantations.”\* Notwithstanding the “word of a prince,” he intimated to the parliament of England his resolution to maintain a standing army, *and to dispense with the penal laws and the tests*, by which Papists were excluded from power. He did not himself take the coronation oath; and when he thus avowed his intention of establishing the Romish religion, *none but Catholics* adhered to, or supported, him in England. In Scotland, Perth the Chancellor, and Melfort his brother, were *converted* to Popery. “The administration, entrusted to none but Papists, was committed to Perth, a timorous and cruel,—to Melfort, a cruel and rapacious statesman,—and to the Earl of Murray, a *convert* admitted to an ostensible share of power. Proselytes were not numerous; but the new-born zeal of *the Chancellor* was indefatigable. Shoals of priests were allured to Scotland. The *press* was abandoned to their *care and diligence*,—a royal seminary, or college of Jesuits, for the gratuitous instruction of youth, was erected in the palace,” and a chapel for the celebration of mass. Murray was appointed Chancellor, as the fittest *convert* to obtain a repeal of the statutes passed under the influence of his own ancestor against Papists at the Reformation; and the specious proposition of James was “the removal of *every* disability.”

In Scotland, *Episcopal* judges were removed from the bench, and bishops from their benefices, for opposing James’s scheme, and some of the time-servers were promoted; but in parliament “the commissioners of shires and burrows, who adhered together, continued, *without a leader among the nobility, firm and united in their opposition to the court* ;” and this manly resistance compelled James to dissolve the Scottish parliament, in which a sufficient majority could not be converted.

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\* Dalrymple.

This, however, was nothing to James. By virtue of his supreme arbitrary dispensing power, he repealed the laws of the land, and declared Papists entitled to the enjoyment of "all offices and benefices to be hereafter conferred." He annulled the oath of his own ecclesiastical supremacy and the tests, and substituted a new oath of allegiance, not only to renounce resistance, but to maintain the full exercise of his absolute power! He did not, however, go so far as to maintain that there was any *necessity* for this, or that we must believe the existence of such a necessity,—because his chief advisers said so.

In England, the infatuation of James was displayed as conspicuously, and with more hazard to the security of his power, than even in Scotland. In spite of his declaration, immediately after his brother's death, that he would uphold the Church of England, he acted upon the hollow principle of accomplishing that purpose by conferring all power and honour upon the Popish religion. He openly attended the Roman Catholic worship the first Sunday after his succession, and he soon after invited Roman Catholic priests from foreign countries, and encouraged them to exercise their functions. A Popish bishop was consecrated in his chapel at Windsor, whilst laymen of that persuasion were made judges, lords-lieutenant of counties, king's counsel, sheriffs, mayors, and justices of peace; and he sent an ambassador to the Pope to solicit a re-union of England with the Papal See, by the advice of Father Petre, his confessor. Clarendon was superseded in the lieutenantcy of Ireland; and in that country all the laws for maintaining the Protestant religion were violated, and all places in the army and the civil department, were conferred upon that class; and on the opening of the English parliament 1685, he announced to both houses that he had *dispensed* with the tests and other barriers of the Protestant constitution. These proceedings created alarm in the country and in parliament, and not being so pliant as he anticipated, it was prorogued.

Finding that he could not effect his purpose through the instrumentality of parliament, he chose another and daring course. Father Petre, his political as well as his ghostly instructor, was appointed a member of the privy council and clerk of the closet, and had a dwelling assigned him within the precincts of the palace,



enjoying thus an intimate communication with James and his consort, exercising a complete ascendancy over their minds, and goading them on to a course of proceeding equally inconsistent with the laws of the land, the control of parliament, and the rights of the people.

In pursuance of these counsels, he proceeded to strengthen his arbitrary pretensions by procuring the decision of a court of law, in which Jeffries presided, that, in virtue of his prerogative, he possessed a power of dispensing with the tests, and of appointing persons of the Popish Church to all the offices which were under the patronage of the crown. His first exertion of this assumed prerogative was to appoint a pensioner in the Charter House Hospital, without requiring a subscription of conformity to the Church of England or the oath of allegiance, although these were required by the will of the donor. His next attempt was to obtain the degree of master of arts from the University of Cambridge for a Benedictine monk without administering any oath; and when his letter was regarded by the consistory as a command to violate their oaths, and compliance with it refused, the Vice-Chancellor was summoned before an ecclesiastical commission, and sentenced to lose his office. He made a similar attack upon the University of Oxford, and issued a royal mandate, requiring Magdalen College to elect a Jesuit to be their president, exempting him from the oaths required by law, and by the statutes of the University. This mandate was disobeyed by a majority as inconsistent with their oaths. The person whom they appointed was deprived of his office, and the Vice-Chancellor was suspended by the same ecclesiastical commission, which had been abolished for ever, and declared illegal by a statute after the restoration.

After endeavouring in vain to pack a parliament for the sanction of these assumptions of arbitrary power, maintained by the open and undisguised influence of his Popish counsellors, he collected an army (1687) on Hounslow Heath, and published a declaration for what was called liberty of conscience,—expressing his firm purpose of dispensing with all tests and oaths for the future. This declaration, backed by an order from the privy council, he directed to be read in all the churches of England; for which purpose copies were sent for distribution by the bishops in their several dioceses.

The Archbishop of Canterbury and six others, conceiving these stretches of authority to be illegal, refused to transmit the declaration. They were in consequence committed prisoners to the Tower, and their petition treated as a seditious libel against the King and his government; and for this imputed offence, they were brought to trial on the 15th of June 1688, when they were acquitted amidst the acclamations of the people, who regarded them as the champions of law and of liberty, and the victim of Popish and arbitrary power.

These unequivocal symptoms of a Popish despotism in the conduct and councils of King James, were regarded by the whole kingdom as a manifest infraction of all the liberties of the subject, and as an announcement that there was to be no law henceforward in the land, save his will and the decrees of his Popish adherents,—he himself being the pensionary of the King of France, and his advisers the instruments of a foreign Pontiff. Such a state of matters brought to an immediate issue the questions, — whether the Sovereign of Great Britain was an arbitrary Monarch, or whether the people had any rights independently of such an assumed power? The voice of the country settled the question. King James, appalled by the resistless and unanimous voice of his people, abandoned his throne and his country; and the Revolution settlement, of which we have thus succinctly traced *the causes*, established the doctrine, that this country is to be ruled by some *known* and *fundamental* laws enacted by parliament, which cannot be subverted without restoring matters to that state and condition in which they were at the time our fathers were placed, by the abdication of King James,—when they were under the necessity of exerting those inherent powers of society which belong to human beings, called on to frame a government for themselves and their posterity. From this dissolution of the government, a *constitution* sprang up, which, for a period of one hundred and fifty years, has distinguished this country from all other nations on the face of the earth. Looking to the constitution as established at the Revolution, and since improved and consolidated, we hold its fundamental regulations to be a blessing of inestimable value to our country. “Our CONSTITUTION” has been our stay and our glory amidst the convulsions of the world,—the

theme of our patriot's song in peace, and the inspiring war-cry in the midst of perils in the cause of liberty,—a pillar of cloud by day, in the wilderness of human affairs,—and of fire, to guide us when “the starless night of desolation” reigned over Europe. “To sustain, to repair, to beautify this noble pile, is a charge intrusted principally to the nobility and such gentlemen of the kingdom as are delegated by their country to parliament. The protection of the liberty of Britain is a duty which they owe to themselves who enjoy it, to their ancestors who transmitted it down, and to their posterity who will claim at their hands this the best birthright and noblest inheritance of mankind.” \*

From these more general views of the forerunners of the Revolution, we must now, however, withdraw our attention to the circumstances which preceded that event in connection with the restoration of the Presbyterian form of church government in Scotland,—and to these we shall now briefly advert.

Without recapitulating any of the sufferings of the proscribed party, or the various schisms which took place among them, in consequence of the *indulgences* proposed to them from time to time by the King, while meditating the revival of Popery, through the instrumentality of a general, though hampered, toleration,—and referring for all these particulars to Wodrow's ample stores of documents, we proceed at once to the year 1687, in the course of which a third toleration was tendered to the Presbyterians, by proclamation, dated at London the 28th of June, and at Edinburgh on the 5th of July following. That proclamation is the first document which we think it requisite to embody in the following collection.† Its substance was that the King granted liberty to all his subjects to worship God “in their own way and manner,” provided this were done in private houses, chapels, or houses purposely built or hired; but nothing was to be said to alienate the loyalty of the people, and their worship was to be openly, peaceably, and publicly conducted in their chapels,—all field meetings (the source of so much mischief and persecution) being strictly forbidden.

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\* Blackstone.

† *Vide Documents.*



The poor Presbyterians,—hunted and wellnigh broken-hearted by the long train of oppressions to which they had been subjected,—received this toleration with thankfulness, and even gratitude; although it was the result of an illegal dispensation with the existing statute law. Accordingly, a number of the Presbyterian ministers from different parts of the country assembled at Edinburgh on the 20th of July, and having resolved to accede to the indulgence, the greater number of them agreed to accept the relief thus afforded, and adopted an address of thanks to the King. Wodrow states that James Renwick, the noted field-preacher, was the only one he knew who did not accede to the toleration thus granted. It afforded instant relief and liberty to many who were in prison or suffering for their religious opinions,—and many Presbyterian ministers who had gone abroad returned home. There was also an address from the inhabitants of Edinburgh of a similar tenor.\*

Before separating, the ministers who had assembled on this occasion adopted certain rules or overtures for their common guidance, under the improved circumstances in which they were now placed, and a circular letter to be sent to their several flocks. These documents are interesting as a record of the views and feelings of the Presbyterian clergy, anterior to, and on the eve of, a revolution, which was destined, in a few short months afterwards, to restore them to their position as the Established Church of the land. The overtures are interesting too, as affording a picture of that polity adopted, if not inherited, from the time of the Covenant, when the *call* of the people, which has subsequently led to so much controversy, was adopted as an essential element by the Presbyterians, when they were a voluntary or unendowed church, alternately persecuted or tolerated, but unsanctioned by the State. At all events, whether this be so or not, the regulations thus adopted and recommended, indicate a prudence and moderation of spirit among men just emancipated from a cruel thalldrom, by which they had long been ground to the earth, and their spirits sorely depressed.†

Availing themselves of the toleration thus vouchsafed

\* Wodrow, vol. ii. p. 617, 618.

† See Documents.

to them, the Presbyterian Church began once more to assume its ancient organization.\* Their several judicatories met, according to the model established by the act 1592; and besides sessional and presbyterial meetings, a synod was assembled at Glasgow on the 30th of August following. That synod encouraged the training of young men for the ministry, appointed a professor of theology, and adopted such other measures as were suggested by their renovated position. Wodrow informs us, that "the liberty thus granted was greedily embraced by the multitudes on the south side of the Tay. Large and spacious meeting-houses were soon built in many of the towns through the west, south, and east of Scotland,—and even through the country parishes, and all over those parts, and even in several places in the north, Presbyterian ministers preached and were settled *upon the call of the people*; and the auditories of the Episcopal clergy turned very thin,—yea, in many places in the south and west, they had nobody to hear them save their own families. Likewise, the nobility and gentry, some of them of the highest rank in the kingdom, left the churches, and frequented the meeting-houses this year and the following."\*

An incident occurred, in the course of the year, which perhaps tended materially to the furtherance of the Revolution in Scotland. A Mr Patrick Warner, an expatriated Scottish clergyman, who had taken refuge in Holland, got a call from the magistrates and inhabitants of Irvine to be minister in that town. Before leaving Holland, he had audiences of the Princess and Prince of Orange, in which they both expressed the warmest sympathy with the past sufferings of his Presbyterian countrymen, and an earnest wish for their peace and prosperity. Tidings like these, on Warner's return, could not fail to spread rapidly among his brethren; and thus, perhaps, was the foundation laid among them of that decided leaning, which, notwithstanding the recent indulgence shown them, they, at no distant period, evinced in favour of William and Mary's accession to the throne of Scotland.† James Renwick was the last victim who suffered on the scaffold, in February 1688, under the sanguinary laws of the Stuart dynasty,—the public feeling being thus painfully

W +  
Mary

\* Vide Wodrow, vol. ii. p. 621, 622.

† Wodrow, vol. ii. p. 624-625.

exasperated by the sacrifice of an ardent enthusiast, who spurned the toleration which had been accepted by his brethren, and he perished with the reputation of a martyr. Had he been overlooked, his zeal might have evaporated, and his field preachings became innocuous under contempt; but his execution awakened anew the bitter remembrance of long-continued persecutions, and aided in rekindling the expiring flames of Presbyterian hostility to Popery and Prelacy, which, at that time, were deemed synonymous in the estimation of all the descendants of the Covenanters.

Among the other blunders in the policy of James, he could not repress his inordinate passion for openly restoring Popery. During the year 1687, and early in 1688, he established Popish schools in Holyrood House and in Edinburgh. These were dignified with the name of a "Royal College,"—the pupils were to be taught gratis, and, as an allurement, assurances were given that no differences of religion were to be noticed. It was impossible, in the nature of things, that such establishments, under the superintendence of Jesuites, should not excite jealousies and alarm among a people who were excessively sensitive upon all matters of a religious character,—and such was the effect which they produced; but it were foreign to our present object to enter on any details, either of the political or military movements which heralded, attended, or followed the Revolution,—our attention being directed solely to the events connected with ecclesiastical affairs; and these may be briefly stated, in a very few sentences, as a preliminary to the perusal of the various documents in which the essence of that portion of our history is embodied.

On the 5th of November 1688, the Prince of Orange landed at Torbay, from a fleet of six hundred ships of war and transports which he had brought with him from Holland; and, on the 28th of December, King James abdicated his throne by flying from England. When the tidings of these events reached Scotland a few days after, the bitter spirit of dissaffection towards the fugitive Sovereign burst forth,—and his panic-struck counsellors and friends being paralyzed and otherwise unprepared for the shock, an insurrection broke out in Edinburgh, and its ramifications rapidly spread over, and manifested themselves throughout, the country,—the



insurgents in the capital, seizing the royal palace, dislodging the few soldiers who guarded it, and demolishing such portions of its precincts as were obnoxious to the popular feelings as appurtenances of Popery. On Christmas day, some thousand Presbyterians, who had assembled in array in the west of Scotland, dispersed themselves, in all directions, to disarm and overawe those whom they suspected or knew to be friendly to the rule of King James; and, as a decisive blow, two hundred Episcopal clergymen were at once ejected by the insurgents from their churches and their homes; some of them dragged from their pulpits,—their vestments torn,—their houses sacked, and their wives and children turned out of doors in the depth of winter, with all the varieties of studied indignity, which the caprice, the revenge, or the fanaticism of a mob could suggest.

While Scotland was thus in a state of entire disorganization and terror, without the semblance even of government or of law to afford protection to the people, divided, as they were, into opposing and furious factions, a meeting was held in London, on the 10th of January 1689, of nobility and gentry, who had gone thither, in consequence of the recent events which had taken place in that kingdom. At that meeting, in which the Duke of Hamilton presided, an address to the Prince of Orange was adopted and subscribed by thirty noblemen and eighty gentlemen, forming a large portion of the Scotch parliament, requesting that a Convention of Estates should be called on the 14th of March,—thus leaving time for consolidating the Revolution in England by the Convention in that kingdom. This proposition was acceded to by the Prince, having, indeed, been adopted on his own suggestion, and the necessary proclamation was issued, calling the convention accordingly. In order to insure a preponderance in the more popular branch of the convention,—the representatives of the boroughs,—the address suggested that the election should be made by a poll of freemen,—who were generally among the more zealous Presbyterians; and, with these preliminary arrangements, it was thought that a majority of the convention, would be found decidedly to favour the accession of the new dynasty in Scotland. Catholics being excluded from the exercise of the franchise, the result fully justified these anticipations.

The convention was opened, accordingly, at the time appointed ; and we shall now present the particulars of its proceedings, in so far as these are necessary for our purpose, from the authentic record. To that record, therefore, we now refer, as infinitely better for affording a satisfactory view of its proceedings, than any narrative or delineation of its character that could be given, whether by contemporaries or historians of later times.

1689.

## LEGISLATIVE ENACTMENTS.

ACTS and ORDERS of the MEETING of the ESTATES of the KINGDOM of SCOTLAND, holden and begun at Edinburgh, the 14th day of March 1689, called by Circular Letters from his Highness the PRINCE of ORANGE, under his Hand and Seal. His Grace WILLIAM DUKE of HAMILTON elected President by the Estates, to the said Meeting.

## I.

A LETTER from WILLIAM King of England, (directed thus: For the Estates of the Kingdom of Scotland, at their meeting at Edinburgh, presented by the Earl of Leven, was read, March 16, 1689,) whereof the Tenor follows:—

*My Lords and Gentlemen,*

We are very sensible of the kindness and concern that many of your nation have evidenced towards us, and our undertaking for the preservation of religion and liberty, which were in such eminent danger; neither can we in the least doubt of your confidence in us, after having seen how far so many of your nobility and gentry, have owned our declaration, countenancing and concurring with us in our endeavours, and desiring that we should take upon us the administration of affairs, civil and military; and to call a meeting of the estates, for securing the Protestant religion, the ancient laws and liberties of that kingdom, which accordingly we have done.

Now it lies on you, to enter upon such consultations as are most probable to settle you on sure and lasting foundations, which, we hope, ye will set about with all convenient speed, with regard to the publick good, and to the general interests and inclinations of the people, that after so much trouble, and great suffering, they may live happily and in peace; and that you may lay aside all animosities and factions, that may impede so good a work.

We are glad to find, that so many of the nobility and gentry, when here at London, were so much inclined to an union of both kindoms, and that they did look upon it as one of the best means for procuring the happiness of these nations, and settling of a lasting peace amongst them, which would be advantageous to both, they living in the same island, having the same language, and the same common interest of religion and liberty, especially at this juncture, when the enemies of both are so restless, endeavouring to make, and increase jealousies and divisions; which they will be ready to improve to their own advantage, and the ruine of Britain; we being of the same opinion, as to the usefulness of this union, and having nothing so much before our eyes, as the glory of God, the establishment of the reformed religion, and the peace and happiness of these nations, are resolved to use our utmost endeavours in advancing every thing which may conduce to the effectuating the same: So we bid you heartily farewell. From our court at Hampton, the seventh day of March, 1688-9.

WILLIAM R.

## II.

ACT declaring the Meeting of the Estates to be a free and lawful Meeting, March 16, 1689.

Forasmuch, as there is a letter from King James the Seventh, presented to the meeting of the estates, they before opening thereof, declare and enact, that notwithstanding of any thing that may be contained in that letter for dissolving them, or impeding their procedure; yet that they are a free and lawful meeting of the estates, and will continue undissolved, until they settle and secure the Protestant religion, the government, laws, and liberties of the kingdom.

The Clergy and Nobility subscribed thus,

Jo. Glasgow, John Dunkelden, Will. Moravien, Jo. Rossen, Robert Dumblanen, Arch. Sodoren, And. Orcaden, Hamilton, Douglas, Athole, Crawford, Lothian, Mortoun, Linlithgow, Eglintoun, Forfar, Lovit, Bellanden, Lindores, Newark, Blantyre, Argyle, Southerland, Glencairn, Airy, Leven, Annandale Tweeddale, Panmure, Tarras, Dundonald, Belcarras, Stormont, Kenmure, Arbutnot, Tarbat, Dundee, Carmichael, Cardross, Belhaven, Rutherford, Bargany, Ross, Torphichen, Forrester, Rollo, Elphinstone, Duffus, Ruthven.

The Barons subscribed thus,

J. Maitland, Robert Sinclair, Ad. Cockburn, Andrew Agnew, Da. Arnot, Wm. Elliot, Pat. Scot, Thomas Drummond, Pat. Ogilvie, Will. Anstruther, Will. McDougal, Patrick Murray, D. Carmichael, W. Baillie of Lamington, David Boyl, H. McGuffock, James Foulis, Ja. Montgomery, Blair of that Ilk, Da. Erskine Dun, Jo. Maxwell, Ar. Cockburn, Jo. Dempster, Ja. Houston, William Colquhoun, Charles Erskine, Pat. Home of Polwarth, S. D. Ca. Auchinbreck, Ar. Murray, Geo. Pringle, Ad. Gordon, Jo. Dalziel, Ja. Johnstoun, Tho. Dunbar, T. Burnet, Da. Bruce, C. Hamilton, Jo. Haldan, William Scot, Lodovick Grant, Ja. Ramsay, Alexander Arbuthnot, William Cunningham, Al. Duff, D. Forbes, Jo. Gordon, Ja. Moire, A. Brodie, John Campbell Carrick,

The Burgesses subscribed thus,

John Hall, Geo. Stirling, Robert Smith, Ja. Fletcher, J. Anderson, J. Murray, Ja. Ogilvie, Jo. Dalrymple, Hugh Kennedy, James Smith, John Moor, Ar. Ged, Alexander Spittle, Alexander Cunningham, Ja. Mudie, Jo. Ewart, Robert Melvil, J. Cuthbert, Ja. Kennan, J. Smollett, Will. Coltrain, Charles Halket, Geo. Smith, T. Hamilton, Jo. Boswel, Pat. Steven, Ja. Stuart, Jo. Moir, Hugh Wallace, Pat. Murdoch, J. Carnegie, Ja. Smith, Jo. Scot, Robert Cleland, Will. Ross, G. Gordon, Jo. Ross, Hugh Brown, John Anderson, Wa. Stuart, Will. Hamilton, Tho. Tulloch, Da. Spence, Will. Heggan, Jo. Boswel, A. Gordon, Will. Erskin, Will. Cochran, Patrick Wallace, Alexander Gordon.

## III.

PROCLAMATION for bringing in the bygone Arrears of the Publick Revenue, March 18, 1689.

The meeting of the estates of this kingdom, for defraying the charge and expense of securing the Protestant religion, their own safety, and the publick peace of the kingdom in this juncture; do ordain all persons lyable in payment of the supply, to make payment of what was due at Martinmass last to the collectors in the respective shires



and burghs; and these lyable in payment of the in-land excise in the said shires and burghs, and imposition granted to the town of Edinburgh preceeding Candlemass last, to make payment of the same to the tacksmen in the several shires; which collectors and tacksmen are hereby required upon receipt thereof, to pay in the same to James Oswald of Fingletoun; and likewise ordains all arrears of the customs, forraign excise, and the crown-rents, to be payed to Sir Patrick Murray, present receiver thereof, and the foresaid payments to be made within ten days after the publication hereof at the respective Mercat-crosses; and grants warrand to use all execution competent by the law of the kingdom against persons lyable in payment of the said publick dues; and in the meantime discharges the payment of any precepts. And the meeting of the estates do nominat and appoint George Hamilton of Binnie to be general surveyer, and to see that there be no embazlements of the customs. And they command and require heraulds or macers to pass to the Mercat-cross of Edinburgh, and sheriffs in that part, to pass to the Mercat-crosses of the head burghs of the respective shires, and to make publication of these presents, and ordains the same to be printed, that none may pretend ignorance thereof.

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#### IV.

Act for putting the Kingdom in a Posture of Defence.

March 19, 1689.

The meeting of the estates of this kingdom, have thought fit to certifie and advertise the leidges, that after an act and vote of the estates subscribed by the members, declaring and enacting, that the estates would continue their meeting undissolved, until they should settle and secure the Protestant religion, the government, laws, and liberties of the kingdom: Nevertheless, several persons who did concur with them in that vote, and subscribed the same, have deserted the meeting of the estates, and some of them have presumed openly to correspond with the Duke of Gordon, since the proclamation of intercommuning against him, and to retire from this place in form of weir. Therefore the estates do require all such of their members as have deserted the meeting, without acquainting the estates or their president, to return with all conveniency to the meeting of estates. And likewise the estates do advertise and require the whole Protestants of the kingdom, betwixt sixty and sixteen, to be in readiness, with their best horses and arms, upon advertisement from the meeting of estates, and likewise to have their militia in readiness to receive such orders as shall be direct to them from the said estates, for securing the Protestant religion, the laws and liberties of the kingdom. And ordains these presents to be printed and published at the Mercat-crosses of the several head-burghs of the kingdom, that none may pretend ignorance thereof.

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#### V.

An Order anent an Oath to be taken by Persons in Military Employments, March 19, 1689.

The meeting of the estates do ordain the oath under-written, to be taken by all persons in military employments.

Whereas, I, \_\_\_\_\_, have accepted of a commisson



from the estates of Scotland, or am continued in command by them, I, \_\_\_\_\_, faithfully promit, in presence of the Almighty God, and swear, that I shall demean myself faithfully to the Estates, now presently met, so long as I continue in that station.

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## VI.

Act approving the Address made to his Highness the Prince of Orange. March 19, 1689.

The estates of the kingdom of Scotland convened at Edinburgh, on the 14th of March 1689 years, taking to their consideration the good services done by the noblemen and gentlemen of this nation, who lately at London did make and sign a timeous and dutiful address, to his Highness the Prince of Orange, containing a just and thankful acknowledgement of the great benefits done to the nation, in delivering them from the imminent encroachments on our laws, and fundamental constitutions, and from the near dangers, which threatened an overturning of the Protestant religion, and the humble profer of their lives and fortunes to his highness, for sustaining him in prosecution of so good a cause: As also, desiring his highness to accept on him the administration of the government of this kingdom, until the meeting of the estates thereof were called to consult on a further settlement. They do ratify, approve, and homologat the said address, in all its tenor and contents; and declares the same to have been an act of duty, tending to the good of the Protestant religion in general, and of this nation in particular, in all its concerns: And ordains this ratification and approbation to be forthwith printed, and published, and to be a full security in most ample form to every person who did so address, as if their names were herein exprest.

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## IX.

A LETTER from the Meeting of the Estates of the Kingdom of Scotland, to the King of England, in Answer to his Majesty's Letter directed to them; whereof the Tenor follows, March 23, 1689.

*May it please your Majesty,*

As religion, liberty, and law are the dearest concerns of mankind, so the deep sense of the extream hazard these were exposed to, must produce suitable returns from the kingdom of Scotland to your Majesty, whom in all sincerity and gratitude we acknowledge to be under God, our great and seasonable deliverer; and we heartily congratulat, that as God has honoured your Majesty to be an eminent instrument for the preservation of his truth; so he hath rewarded your undertakings with success, in the considerable progress which you have made in delivering us, and in preserving to us the Protestant religion.

We return our most dutiful thanks to your Majesty for your accepting the administration of publick affairs, and convening the estates of this kingdom; and we shall with all convenient diligence, take your gracious letter into our consideration, hoping shortly, by the blessing of God, to fall upon such resolutions, as may be acceptable to your Majesty, secure the Protestant religion, and establish the government, laws, and liberties of this kingdom, upon solid foundations, most agreeable to the general good and inclination of the people.

As to the proposal of the Union, we doubt not your Majesty will so dispose that matter, that their may be an equal readiness in the kingdom of England to accomplish it, as one of the best means for securing the happiness of these nations and settling a lasting peace.

We have hitherto, and still shall, endeavour to avoid animosities or prejudice which might disturb our councils, that as we design the publick good, so it may be done with the general concurrence and approbation of the nation. In the mean time, we desire the continuance of your Majesty's care and protection towards us in all our concerns, wherof the kind expressions in your gracious letter, have given us full assurance. Signed in name of us the estates of the kingdom of Scotland, by our President.

May it please your Majesty,  
Your Majesty's most humble,  
most faithful, and obedient servant,

HAMILTON P.

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### XIII.

THE Declaration of the Estates of the Kingdom of Scotland, containing the Claim of Right, and the Offer of the Crown to their Majesties King William and Queen Mary. April 11, 1689.

Whereas, King James the Seventh, being a profest Papist, did assume the regal power, and acted as king, without ever taking the oath required by law, whereby the King at his access to the government, is obliged to swear, to maintain the Protestant religion, and to rule the people according to the laudable laws; and did by the advice of wicked and evil counsellors, invade the fundamental constitution of this kingdom, and altered it from a legal limited monarchy, to an arbitrary despotic power; and in a publick proclamation, asserted absolute power, to cass, annul and disable all the laws, particularly arraigning the laws, establishing the Protestant religion, and did exerce that power, to the subversion of the Protestant religion, and to the violation of the laws and liberties of the kingdom.

By erecting publick schools and societies of the Jesuits; and not only allowing mass to be publickly said, but also inverting Protestant chappels and churches to publick mass-houses, contrary to the express laws against saying or hearing of mass.

By allowing papist-books to be printed and dispersed by a gift to a Popish printer; designing him the printer to his Majesty's houshold, colledge and chappel, contrary to the laws.

By taking the children of Protestant noblemen and gentlemen, sending and keeping them abroad, to be bred Papists, making great fonds and donations to Popish schools and colledges abroad, bestowing pensions upon priests, and perverting Protestants from their religion, by offers of places, preferments and pensions.

By disarming Protestants, while at the same time he employed Papists, in the places of greatest trusts, civil and military, such as chancellor, secretaries, privy-counsellors, and lords of session, thrusting out Protestants to make room for Papists, and entrusting the forts and magazines of the kingdom in their hands.

By imposing oaths contrary to law.

By giving gifts and grants for exacting money, without consent of parliament, or convention of estates.

By levying or keeping on foot a standing army in time of peace, without consent of parliament, which army did exact locality, free, and dry quarters.

By imploying the officers of the army, as judges through the kingdom, and imposing them where there were heretable offices and jurisdictions, by whom many of the liedges were put to death summarily, without legal tryal, jury or record.

By imposing exorbitant fines to the value of the parties estates, exacting extravagant bale; and disposing fines and forefaultures before any process or conviction.

By imprisoning persons without expressing the reason, and delaying to put them to tryal.

By causing pursue and forefault several persons upon stretches of old and obsolete laws, upon frivolous and weak pretences, upon lame and defective probation; as particularly the late Earl of Argyle to the scandal and reproach of the justice of the nation.

By subverting the right of the royal burghs, the third estate of parliament, imposing upon them not only magistrats, but also the whole town council, and clerks, contrair to their liberties, and express charters, without the pretence either of sentence, surrender or consent; so that the commissioners to parliaments being chosen by the magistrats and council, the king might in effect as well nominat that entire estate of parliament; and many of the said magistrats put in by him were avowed Papists, and the burghs were forced to pay money for the letters, imposing these illegal magistrats and councils upon them.

By sending letters to the chief court of justice, not only ordering the judges to stop and desist *sine die* to determine causes; but also ordering and commanding them how to proceed, in cases depending before them, contrary to the express laws, and by changing the nature of the judges gifts *ad vitam aut culam*, and giving them commissions *ad bene placitum*, to dispose them to compliance with arbitrary courses, and tuning them out of their offices, when they did not comply.

By granting personal protections for civil debts, contrary to law.

All which are utterly and directly contrary to the known law, statutes, and freedoms of this realm.

Therefore the estates of the kingdom of Scotland, find and declare, that King James the Seventh, being a profest Papist, did assume the regal power, and acted as king, without ever taking the oath required by law, and hath by the advice of evil and wicked counsellors, invaded the fundamental constitution of the kingdom, and altered it from a legal limited monarchy, to an arbitrary despotick power, and hath exercised the same, to the subversion of the Protestant religion, and violation of the laws and liberties of the kingdom, inverting all the ends of government, whereby he hath forefaulted the right to the crown, and the throne is become vacant.

And, whereas, his Royal Highness, William, then Prince of Orange, now King of England, whom it hath pleased the Almighty God, to make the glorious instrument of delivering these kingdoms from Popery and arbitrary power, did, by the advice of several lords and gentlemen of this nation, at London, for the time, call the estates of the kingdom, to meet the fourteenth of March last, in order to such an establishment, as that their religion, laws, and liberties, might not be again in danger of being subverted. And the said estates being now assembled, in a full and free representative of this nation, taking to their most serious consideration, the best means for attaining the ends aforesaid; do, in the first



place, as their ancestors in the like cases have usually done, for the vindicating and asserting their ancient rights and liberties, declare,

That by the law of this kingdom, no Papist can be king or queen of this realm, nor bear any office whatsoever therein; nor can any Protestant successor exercise the regal power, until he or she swear the coronation oath.

That all proclamations asserting an absolute power, to cass, annull, and disable laws, the ereeting schools and colledges for Jesuits, the inverting Protestant chapels and churches to publick mass-houses, and the allowing mass to be said, are contrary to law.

That the allowing Popish books to be printed and dispersed, is contrary to law.

That the taking the children of noblemen, gentlemen and others, sending and keeping them abroad to be bred Papists, the making of fonds and donations to Popish schools and colledges, the bestowing pensions on priests, and the perverting Protestants from their religion, by offers of places, preferments and pensions, are contrary to law.

That the disarming of Protestants, and imploying Papists in the places of greatest trust, both civil and military, the thrusting out Protestants, to make room for Papists, and the intrusting Papists with the forts and magazines of the kingdom, are contrary to law.

That the imposing oaths without authority of parliament, is contrary to law.

That the giving gifts or grants, for raising of money, without the consent of parliament, or convention of estates, is contrary to law.

That the imploying the officers of the army as judges through the kingdom or imposing them where there were heretable officers and jurisdictions, and the putting the leidges to death summarily without legal tryal, jury, or record, are contrary to law.

That the imposing of extraordinary fines, the exacting of exorbitant bail, and the disposing of fines and forefaulters before sentence, are contrary to law.

That the imprisoning persons, without expressing the reason thereof, and delaying to put them to tryal, is contrary to law.

That the causing pursue and forfeit persons, upon stretches of old and obsolete laws, upon frivolous and weak pretenees, upon lame and defective probation, as particularly the late Earl of Argyle, are contrary to law.

That the nominating and imposing the magistrats, councils, and clerks, upon burghs, contrary to their liberties and express charters, is contrary to law.

That the sending letters to the courts of justice, ordaining the judges to stop or desist from determining causes, or ordaining them how to proceeding in causes depending before them, and the changing the nature of the judges gifts *ad vitam aut culpam*, into commissions *durante beneplacito*, are contrary to law.

That the granting personal protections for civil debts, is contrary to law.

That the forcing the leidges to depone against themselves in capital crimes, however the punishment be restricted, is contrary to law.

That the using torture without evidence, or in ordinary crimes, is contrary to law.

That the sending of an army in an hostile manner, upon any part of the kingdom, in a peaceable time, and exacting of locality, and any manner of free quarters, is contrary to law.



That the charging of the leidges with law-borrows at the king's instance, and the imposing of bonds without the authority of Parliament, and the suspending advocats from their imployment, for not compearing when such bonds were offered, were contrary to law.

That the putting of garrisons in privat men's houses in time of peace, without their consent, or the authority of parliament, is contrary to law.

That the opinions of the lords of session in the two cases following, were contrary to law, viz., 1. That the concealing the demand of a supply for a forefaulted person, although not given, is treason. 2. That persons refusing to discover what are their privat thoughts and judgments, in relation to points of treason, or other mens actions, are guilty of treason.

That the fyning husbands for their wives withdrawing from the church, was contrary to law.

That Prelacy and the superiority of any office in the church, above Presbyters, is, and hath been a great and insupportable grievance and trouble to this nation, and contrair to the inclinations of the generality of the people, ever since the Reformation, (they have reformed from Popery by Presbyters,) and, therefore, ought to be abolished.

That it is the right and privilege of the subjects, to protest for remeid of law to the king and parliament, against sentences pronounced by the lords of session, providing the same do not stop execution of the sentences.

That it is the right of the subjects to petition the king, and that all imprisonments and prosecutions for such petitioning, are contrary to law.

That for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliaments ought to be frequently called, and allowed to sit, and the freedom of speech and debate secured to the members.

And they do claim, and demand, insist upon all and sundry the premisses as their undoubted rights and liberties, and that no declarations, doings, or proceedings, to the prejudice of the people, in any of the said premisses, ought in any ways to be drawn hereafter, in consequence of example, but that all forefaultures, fines, losses of offices, imprisonments, banishments, pursuits, persecutions, tortures, and rigorous executions be considered, and the parties lesed be redressed.

To which demand of their rights, and redressing of their grievanees, they are particularly encouraged by his Majesty the King of England, his declaration for the kingdom of Scotland, of the day of October last, as being the only means for obtaining a full redress and remedy therein.

Having, therefore, an entire confidence, that his said Majesty the King of England will perfect the deliverance so far advanced by him, and will still preserve them from the violation of their rights, which they have here asserted, and from all other attempts upon their religion, laws, and liberties.

The said estates of the kingdom of Scotland do resolve that WILLIAM and MARY, King and Queen of England, France, and Ireland, be, and be declared King and Queen of Scotland, to hold the crown and royal dignity of the said kingdom of Scotland, to them the said King and Queen, during their lives, and the longest liver of them, and that the sole and full exercise of the royal power be only in, and exercised by him the said King, in the names of the said King and Queen during their joint lives; and after their decease,

the said crown and royal dignity of the said kingdom, to be to the heirs of the body of the said Queen; which failing, to the Princess Anne of Denmark, and the heirs of her body; which, also failing, to the heirs of the body of the said William King of England.

And they do pray the said King and Queen of England to accept the same accordingly.

And that the oath, hereafter mentioned, be taken by all Protestants, of whom the oath of allegiance, and any other oaths and declarations might be required by law, instead of them, and that the said oath of alledgeance, and other oaths and declarations may be abrogated.

I. A. B. do sincerely promise and swear, that I will be faithful, and bear true allegiance to Their Majesties King WILLIAM and Queen MARY. So help me God.

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#### XIV.

A PROCLAMATION declaring the King and Queen of England, to be King and Queen of Scotland. April 11, 1639.

Whereas the estates of the kingdom of Scotland, by their act of the date of these presents, have resolved, that William and Mary, King and Queen of England, France, and Ireland, be, and be declared King and Queen of Scotland, to hold the crown and royal dignity of the kingdom of Scotland, to them, and that the sole and full exercise of the regal power, be only in, and exercised by the said King, in the names of the said King and Queen, during their joynt lives. As also, the estates having resolved, and enacted an instrument of government, or claim of right, to be presented with the offer of the crown, to the said King and Queen. They do statute and ordain, That William and Mary, King and Queen of England, France, and Ireland, be accordingly furthwith proclaimed King and Queen of Scotland, at the Mercat-cross of Edinburgh, by the lyon king-at-arms or his deputs, his brethren heralds, maceers, and purservants, and at the head burghs of all the shires, stewartries, bailliaries, and regalities within the kingdom, by messengers-at-arms.

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#### XV.

Act declaring that the Estates are to continue in the Government, until the King and Queen of England accept the Crown. April 11, 1639.

Forasmuch as the estates of this kingdom by their former act, declared that they would continue undissolved, until the government, laws, and liberties of the kingdom should be settled and secured: And they having now proceeded to, resolve, That William and Mary, King and Queen of England, be, and be declared King and Queen of Scotland. And considering that the nation cannot be without government, until the said King and Queen of England accept the offer of the crown, according to the instrument of government, and take the oath required before they enter to the exercise of the regal power: Therefore, the said estates do hereby declare and enact, That they will continue in the government as formerly,

until their Majesties acceptance of the crown, and their taking of the said oath be made known to them.

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## XVI.

**A PROCLAMATION** against the Owning of the late King James, and appointing Publick Prayers for William and Mary, King and Queen of Scotland. April 13, 1689.

The estates of the kingdom of Scotland having proclaimed and declared William and Mary, King and Queen of England, France, and Ireland, to be King and Queen of Scotland: They have thought fit, by publick proclamation, to certifie the liedges, that none presume to owne or acknowledge the late King James the Seventh, for their king, nor obey, accept, or assist any commissions or orders that may be emitted by him, or any way to correspond with him; and that none presume upon their highest peril, by word, writing, in sermons, or any other manner of way, to impugn, or disown the royal authority of William and Mary, King and Queen of Scotland: But that all the leidges render their dutiful obedience to their Majesties: And that none presume to misconstrue the proceeding of the estates, or to create jealousies, or misapprehensions of the actings of the government; but that all the ministers of the gospel within the kingdom, publicly pray for King William and Queen Mary as King and Queen of this realm: And the estates do require the ministers within the city of Edinburgh, under the pain of being deprived, and losing their benefices to read this proclamation publicly from their pulpits, upon Sunday next, being the 14th instant, at the end of there forenoon sermon; and all the ministers on this side of the river of Tay, to read the same upon Sunday thereafter, the 21st instant; and these benorth Tay upon the 28th instant, under the pain foresaid: Discharging hereby the proclamation of the council, dated the 16th of September 1686, to be read hereafter in churches. And the estates do prohibite and discharge, any injury to be offered by any person whatsoever, to any ministers of the gospel, either in churches or meeting-houses, who are presently in the possession and exercise of their ministry therein, they behaving themselves as becommes, under the present government: And ordains this proclamation to be published at the Mercat-cross of Edinburgh, with all ordinary solemnities, that none may pretend ignorance. And that the same be printed.

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## XVII.

**ADDITIONAL WARRANT** for publishing the Proclamation of William and Mary, the King and Queen of Scotland. April 13, 1689.

The eatates of the kingdom of Scotland do order and require the proclamation declaring William and Mary, King and Queen of Scotland, to be published at the Mercat-crosses of the royal burrows within this kingdom, by messengers-at-arms, with the concurrence of the respective magistrats of these burghs, wherein the said proclamation is appointed to be made, and to be performed by them, with all solemnities and formalities usual in the like cases. And ordains thir presents to be printed.



## XVIII.

THE ARTICLES of GRIEVANCES represented by the Estates of the Kingdom of Scotland, to the KING's most Excellent Majesty, to be redressed in Parliament, whereof the Tenor follows. April 13, 1689.

The estates of the kingdom of Scotland, do represent, that the committee of parliament, called the articles, is a great grievance to the nation, and that there ought to be no committees of parliament, but such as are freely chosen by the estates, to prepare motions and overtures that are first made in the house.

That the first act of parliament 1669, is inconsistent with the establishment of the church-government, now desired, and ought to be abrogated.

That the forefaultures in favours of vassals, creditors, and heirs of entail, are a great grievance.

That the obliging the leidges to depone upon crimes against delinquents, otherways than what they are adduced in special processes, as witnesses, is a great grievance.

That assizes of error are a grievance ; and that juries be considered by parliament.

That the eighteenth act of parliament 1681, declaring a cumulative jurisdiction, is a grievance.

That the commissariot-courts, as they are now constitute, are a grievance.

That the twenty-seventh act of parliament 1663, giving to the King power to impose custom at pleasure, upon foreign import and trade, is a grievance, and prejudicial to the trade of the nation.

That the not taking an effectual course to repress the depredations and robberies by the Highland-claus, is a grievance.

That the banishment by the council of the greatest part of the advocats from Edinburgh, without a proces, was a grievance.

That most of the laws enacted in the parliament *anno* 1685, are impious and intolerable grievances.

That the marriage of a king or queen of this realm to a Papist, is dangerous to the Protestant religion, and ought to be provided against.

That the levying, or keeping on foot, a standing army in time of peace, without consent of parliament, is a grievance.

That all grievances relating to the manner and measure of the leidges, their representation in parliament be considered and redressed in the first parliament.

That the grievances of the burrows be considered and redressed in the parliament.

## XXI.

THE OATH to be Administered to the King and Queen at their Acceptance of the Crown. April 18, 1689.

We faithfully promise and swear by this our solemn oath, in presence of the Eternal God that during the whole course of our life, we will serve the same eternal God, to the uttermost of our power, according as he has required in his most Holy Word, revealed and contained in the Old and New Testaments ; and, according to the same Word, shall maintain the true religion of Christ Jesus, the preaching of his Holy Word, and the due and right ministration of the sacraments, now received and preached within the realm of Scotland ; and shall abolish

and gainstand all false religion contrary to the same, and shall rule the people committed to our charge according to the will and command of God revealed in his aforesaid Word, and according to the loveable laws and constitutions received in this realm, no noways repugnant to the said Word of the Eternal God; and shall procure, to the uttermost of our power, to the Kirk of God, and whole Christian people, true and perfect peace in all time coming; that we shall preserve and keep inviolated the rights and rents, with all just privileges of the crown of Scotland; neither shall we transfer nor alienate the same; that we shall forbid and repress, in all estates and degrees, reif, oppression, and all kind of wrong; and we shall command and procure that justice and equity in all judgments be kept to all persons without exception, as the Lord and Father of all mercies shall be merciful to us: And we shall be careful to root out all heretics and enemies to the true worship of God, that shall be convict, by the true Kirk of God, of the foresaids crimes, out of our lands and empyre of Scotland: And we faithfully affirm the things above written by our solemn oath.

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## XXVII.

A LETTER direct from the Estates to the King's Majesty, with the Offer of the Crown, whereof the Tenor follows. April 24, 1689.

*May it please your Majesty,*

The settling of the monarchy and ancient government of this kingdom admitting no delay, we did, upon the 11th instant, proclaim your Majesty and your royal consort, King and Queen of Scotland, with so much unanimity, that, of the whole house, there was not one contrary vote. We have nominat the Earl of Argyle, Sir James Montgomery of Skelmorlie, and Sir John Dalrymple, in our name, to attend your Majesty with the cheerful offer of the crown, and humbly to present the petition or claim of right of the subjects of this kingdom, as also to represent some things found grievous to this nation, which we humbly intreat your Majesty to remeid, by wholesome laws, in your first parliament. And, in testimony of your Majesty and the Queens acceptance, we beseech your Majesties, in presence of those sent by us, to swear and sign the oath herewith presented, which our law hath appointed to be taken by our kings and queens, at the entry to their government, till such time as your great affairs allow this kingdom the happiness of your presence, in order to the coronation of your Majesties.

We are most sensible of your Majesties kindness and fatherly care to both our kingdoms in promoting their union, which, we hope, hath been reserved to be accomplished by you; that as both kingdoms are united in one head and sovereign, so they may become one body politick, one nation, to be represented in one parliament. And to testific our readiness to comply with your Majesty in that matter, we have nominated commissioners to treat the terms of an entire and perpetual union betwixt the two kingdoms, with reservation to us of our Church government, as it shall be established at the time of the union. These commissioners do wait your Majesties approbation and call, that they may meet and treat with the commissioners to be appointed for England, at what time and place your Majesty shall appoint. And if any difficulty shall arise in the treaty, we do, upon our part, refer the determination thereof to your Majesty. And we

do assure ourselves, from your Majesties prudence and goodness, of a happy conclusion to that important affair, so as the same may be agreed to and ratified by your Majesty in your first parliament. We do likewise render your Majesty our most dutiful thanks for your gracious letter brought to us by the Lord Ross, (a person well affected to your service,) and for your princely care in sending down these troops, which may, in the meantime, help to preserve us, and, when the season offers, may be employed towards the recovery of Ireland from that deplorable condition and extream danger to which the Protestants there are exposed. The guarding our coast with a good fleet preserves England as well as us from an invasion ; and as it is the interest of England to contribute to secure us from the first impressions of the common danger, so we shall not be wanting, on our part, to give our assistance for reducing of Ireland, that all your Majesties kingdoms may flourish in peace and truth under the auspicious influence of your happy reigns. Signed at the desire of the estates, and in our name by our president.

May it please your Majesty,  
Your Majesties most humble, most  
obedient, and faithful subject and servant,

HAMILTON, P.

## XXVIII.

Act nominating Persons to attend their Majesties with the Offer of the Crown. April 24, 1689.

The estates of this kingdom do nominat and appoint the Earl of Argyle, Sir James Montgomery of Skermorlie, and Sir John Dalrymple, three of their number, being one of every estate, to repair to London, and to deliver to the King's Majesty their letter ; and to present to the King and Queen the declaration of the estates, and take their oath, and to present to his Majesty the grievancees desired to be redressed, with the address for turning this meeting into a parliament.

## XXIX.

ADDRESS for turning the Meeting of Estates into a Parliament.  
April 24, 1689.

*May it please your Majesty,*

It is the humble desire of your estates of Scotland that, for the further settling and securing of the Protestant religion, the government, laws, and liberties of this kingdom, and redressing the grievancees represented by them, your Majesty will be pleased to turn this meeting into a parliament. Signed at the desire of the estates, and in our name by our president.

May it please your Majesty,  
Your Majesties most humble,  
most obedient, and faithful  
subject and servant,

HAMILTON, P.



## XXX.

INSTRUCTIONS by the Estates of Scotland, to the Earl of Argyle, Sir James Montgomery, and Sir John Dalrymple, nominated and appointed to attend the King and Queen, with the Offer of the Crown. April 25, 1689.

You are to repair with all diligence to London, and so soon as you come there, you are to deliver the letter from the estates to the King's Majesty, and to present to their Majesties, the King and Queen, the declaration of the estates of this kindom, and to read, or see the same read in their presence; and you are likewise to present to the King, the grievances desired to be redressed; with the address for turning this meeting into a parliament, and to read or see the same read.

You are to offer the oath to the King and Queen, upon their acceptance of the crown, and to see that the same be sworn and signed by them.

After the King and Queen have taken the oath, you are to return as soon as is possible.

You are to desire the King's Majesty to interpose with the estates of Holland, that they may allow ten thousand stand of arms, less or more, with ammunition conform, to be imported from Holland into this kingdom, by James Dunlop, merchant in Rotterdam, James Bogle, merchant in Glasgow, and George Clerk, merchant in Edinburgh, for use of his Majesties subjects in this kingdom; and to desire, that his Majesty would order these arms to be free of custom, and others his Majesties dues, at their arrival here in Scotland.

You are likewise to desire his Majesty to signifie his please concerning the Earls of Perth and Balcarras.

## XXXI.

A PROCLAMATION for a Publick Thanksgiving. April 26, 1689.

Whereas it hath pleased Almighty God, by the endeavours of William King of Scotland, England, France, and Ireland, to rescue and deliver this nation from the great danger of Popery and arbitrary power, to which it was exposed; the estates of this kingdom, do ordain and appoint; like as it is hereby enacted, that all the subjects of this kingdom, do keep and observe a day of solemn and publick thanksgiving to Almighty God, for their great deliverance aforesaid, and for imploring the blessing of God to the said King William, the glorious instrument of their delivery: And they hereby appoint for the shires on this side of the river of Tay the ninth day of May next; and for the shires be north Tay, the sixteenth day of May, for all the leidges to meet in the churches, or other places where they ordinarily attend divine service, that they may hear sermon, and joyn together in the solemn thanksgiving, aforesaid: And ordains the ministers to intimat from their pulpits the observation of the said thanksgiving, upon the Lords day immediately preceding the said respective days. And appoints this act to be printed, and publickly proclaimed at the Mercat-cross of Edinburgh, and at the Mercat-crosses of the head burghs of all shires, and of the royal burghs of this kingdom. And appoints printed copies thereof to be dispatched to the sheriff-clerks of

the respective shires, that they may send the same to the magistrats of the said burghs to be published, and to the several ministers in the shires, that they may intimat the same, as said is.

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## XXXVI.

ACT adjourning the Meeting of the Estates. May 24, 1689.

The estates of this kingdom do adjourn this meeting of the estates, unto the twenty first day of May next, at ten o'clock in the forenoon; and ordains all the members thereof to attend that day.

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## XXXVIII.

A LETTER from his Majestie to the Estates, declaring he had accepted the Crown and taken the Oath, whereof the Tenor follows.  
May 24, 1689.

WILLIAM R.

*My Lords and Gentlemen,*

The commissioners sent by you have presented your letter to us, with your petition or claim of right, the grievances, and your address for turning you into a parliament, which were all read in our presence; after which the Queen and We did take and sign the oath tendered to us by your said commissioners, which (by God's assistance) we will religiously observe.

At our first engaging in this undertaking, we had particular consideration and regard for Scotland, and, therefore, we emitted a declaration for that, as well as this kingdom, which we intend to make good and effectual to you, and you shall always find us ready to protect you, and assist you in making such laws as may secure your religion, liberties, and properties, and prevent or redress whatever may be justly grievous to you.

We shall never believe that the true interest of the people and the crown can be opposit; and shall always account that our greatest prerogative, to enact such laws as may promote truth, peace, and wealth in our kingdoms.

At your desire, we have resolved to turn you (who are the full representatives of the nation,) into a parliament; but, because the instructions to our commissioner, and other things necessary, cannot be expected before the twenty-one instant, to which you are adjourned; therefore, we do authorize you to adjourn yourselves to the fifth day of June next, against which time you are to require all your members to be present, that then you may proceed with unity and alacrity, to dispatch what affairs do most conduce to the right settlement of that nation. And as we do assure you on our part, that we will not put the advantages the crown may have, in the ballance with the true interests of the kingdom: So we do expect on yours, that (all animosities and privat interests being laid aside,) you will cheerfully concur with us in settling the welfare of the kingdom, by such laws as may procure your own

happiness and establish the publick good. And so we bid you heartily farewell.

Given at our court at Hampton Court, the seventeenth day of May, one thousand six hundred and eighty-nine, and of our reign the first year.

By His Majestys command,

MELVILL.

### XXXIX.

A LETTER from the Estates to the King's Majesty, whercof the Tenor follows. May 24, 1689.

*May it please your Majesty,*

Your Majesties gracious letter of the seventeenth instant, gives us occasion to acknowledge that as with unexpressible satisfaction we look upon the condition we are now in, of being of the number of your Majesties dutiful subjects, and so under the protection and conduct of our deliverer, a prince of so much wisdom, justice, and piety; and in a great advance of being freed from the apprehensions als well of hazards threatned from abroad, as of intestine commotions at home; so we think it our duty, to render your Majesty our hearty thanks, that you have been graciously pleased to comply with our desire, and to grant that this meeting should be turned into a parliament.

In obedience to your royal commands, we have issued forth a proclamation, requiring all the members to be present the day appointed by your Majesty; but several of them, who were considerable persons, being necessarily engaged for securing the peace of countrey, to repair to the places of their interests, and there to continue, at the least until the levies be fully compleated, there is reason to believe, that the meeting of the fifth of June, cannot be so frequent as is necessary for the great affairs they may have under their consideration; therefore, we do humbly desire, that a longer day may be appointed for the meeting of the parliament.

The committoe named by us, found it necessary, the time of our adjournment, to write to your Majesty their letter of the eleventh current, representing some things they judged conducive for your Majesties service, and the good of the nation, which letter we have considered and approven, and, therefore, humbly intreat your Majesty may look on it, as the sence of the estates of this kingdom assembled in this meeting.

And to the effect your Majesty may get a more particuar account of our proceedings, we desire you will be pleased to allow the Duke of Hamilton our president (whose zeal and affection for your Majesties service, and prudence and vigilancy for the Protestant religion, and true interest of the nation, has eminently appeared on this occasion,) and with him, the Lord Ross, Sir Patrick Hume of Polwarth, and Mr William Hamilton, three of our number, to attend your Majesty, to give you more information of some things expedient to be known by your Majesty before the meeting of your parliament, being loath to



trouble your Majesty further than the necessity of your service doth oblige us; we pray God to give your Majesty a long and happy reign over us. Signed by warrand, and in name of the estates, by our president.

May it please your Majesty,  
Your Majesties most humble,  
most obedient and faithful  
subject and servant,

HAMILTON, P.

## XL.

Act adjourning the Meeting of the Estates. May 24, 1689.

Forasmuch as the King's Majesty, by a letter under his royal hand to the meeting of the estates of this kingdom hath signified, at their desire his Majesty has resolved to turn them into a parliament, and authorized them to adjourn themselves to the fifth day of June next, against which time they are appointed to require all their members to be present, that then they may proceed to dispatch what affairs do most conduce to the right settlement of the nation. The estates of this kingdom, conform to his Majesties warrand, do adjourn this meeting of the estates, unto the fifth day of June next; and do ordain and require all the members to be present, and attend that day, to the effect mentioned in his Majesties letter aforesaid; and grants warrant to the heralds, macers, or purservants, immediately to pass to the Mercat-cross of Edinburgh, and there with sound of trumpet, to make publication of these presents, that none may pretend ignorance.

LAWS and ACTS made in the First PARLIAMENT of our high and most dread Sovereigns, WILLIAM and MARY, by the Grace of God, KING and QUEEN of SCOTLAND, ENGLAND, FRANCE, and IRELAND, Defendeis of the Faith. Holden and begun at Edinburgh, the fifth day of June 1689.

## I.

Act declaring the Meeting of Estates to be a Parliament.  
June 5, 1689.

The King and Queens Majesties, with advice and consent of the estates of this kingdom presently assembled, do enact and declare, that the three estates now met together this fifth of June, 1689, con-

sisting of the noblemen, barons, and burrows, are a lawful and free parliament, and are hereby declared, enacted, and adjudged to be such, to all intents and purposes whatsoever, notwithstanding of the want of any new writs, or proclamation for calling the same, or the want of any other solemnity: And that all acts and statutes to be past theron, shall be received, acknowledged, and obeyed, by the subjects, as acts of parliament, and laws of this kingdom. And it is hereby declared, that it shall be treason for any persons to disown, quarrel, or impugn the dignity and authority of this parliament, upon any pretence whatsoever. And ordains these presents to be published at the Mercat-cross of Edinburgh, that none pretend ignorance.

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## II.

Act recognizing their Majesties Royal Authority. June 17, 1639.

The estates of parliament considering, that the King and Queen's Majesties have accepted of the crown of this realm, tendered to them by the meeting of the estates in their claim of right, dated the eleventh day of April last, and according there to have sworn the oath appointed by law to be taken by all kings and queens of this realm, before they exerce the regal power: Therefore, the estates of parliament for themselves, and in name and behalf of the whole subjects of this kingdom represented by them, do hereby assert, recognize, and acknowledge their Majesties royal power and authority over the said kingdom, and their undoubted right and title to the imperial crown thereof: Likeas their Majesties, with advice and consent of the saids estates of parliament, do declare, that it is high treason in any of the subjects of this kingdom, by writing, speaking, or any other manner of way to disown, quarrel, or impugn their Majesties royal power and authority, or right and title to the crown. And further, their Majesties with advice and consent foresaid, do statute and ordain, that the oath of alledgeance hereunto subjoyned, shall be sworn and subscribed by all the members and clerks of parliament, and by all other persons presently in publick trust, civil or military, or who shall be hereafter called to any publick trust within the kingdom; and do hereby retreat and rescind all preceding laws and acts of parliament, in so far as they impose any other oaths of alledgeance, supremacy, declarations and tests, excepting the oath *de fidei*.

Follows the Oath of Alledgeance:

I. A. B. do sincerely promise and swear, that I will be faithful and bear true alledgeance to their Majesties King William and Queen Mary. So help me God.

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## III.

Act abolishing Prelacy. July 22, 1639.

Whereas the estates of this kingdom in their claim of right, of the eleventh of April last, declared, that Prelacy, and the superiority

of any office in the church above Presbyters; is, and hath been a great and insupportable grievance to this nation, and contrary to the inclinations of the generality of the people, ever since the Reformation, they having reformed from Popery by Presbyters, and therefore ought to be abolished: Our Sovereign Lord and Lady, the King and Queens Majesties, with advice and consent of the estates of parliament, do hereby abolish Prelacy, and all superiority of any office in the church of this kingdom above Presbyters; and hereby rescinds, casses, and annuls the first act of the second sess, of the first parl. of King Charles the Second, and the second act of the third sess, of the first parl. of King Charles the Second, and the fourth act of the third parliament of King Charles the Second; and all other acts, statutes, and constitutions, in so far allannerly as they are inconsistent with this act, and do establish Prelacy, or the superiority of the church-officers above Presbyters. And the King and Queens Majesties do declare, that they, with advice and consent of the estates of this parliament, will settle by law that church government in this kingdom, which is most agreeable to the inclinations of the people.

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## VI.

ACT of Adjournment. August 2, 1689.

The King and Qucens Majesties, declare this parliament current, and adjourn the same to the eighth day of October next to come; ordaining all members, noblemen, commissioners for shires and burrows, and all others having interest, to attend that day; and that there be no new election in shires or burghs, except upon the death of any of the present commissioners.

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## HISTORICAL DOCUMENTS.

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### No. I.

PROCLAMATION, June 28, and July 5, 1687, or the Third Toleration.

James VII., by the grace of God, King of Scotland, England, France, and Ireland, defender of the faith, &c., to all and sundry, our good subjects, whom these presents may do or may concern, greeting: Whereas, by our royal proclamation, of the date the 12th day of February 1686-7, we were graciously pleased for the causes, and on the terms therein mentioned, to grant our royal toleration to the pro-



fessors of the Christian religion therein named, with, and under certain restrictions and limitations; all which are in the said proclamation more at length expressed. We now taking into our royal consideration the sinister interpretations, which either have, or may be made of some restrictions therein mentioned, have thought fit, by this our royal proclamation, further to declare, that we will protect our archbishops and bishops, and all our subjects of the Protestant religion, in the free exercise of their Protestant religion, as it is by law established, and in the quiet and full enjoyment of all their possessions, without any molestation or disturbance whatsoever. And we do likewise by our sovereign authority, prerogative royal, and absolute power, suspend, stop, and disable, all penal and sanguinary laws, made against any for nonconformity to the religion established by law, in that our ancient kingdom, or for exercising their respective worships, religions, rites, and ceremonies; all which laws are hereby stopt, suspended, and disabled to all intents and purposes. And to the end, that by the liberty thereby granted, the peace and security of our government in the practice thereof may not be endangered, we have thought fit, and do hereby straitly charge and command all our loving subjects, that, as we do give them leave to meet and serve God after their own way and manner, be it in private houses, chapels, or places purposely hired or built for that use, so that they take care that nothing be preached or taught among them, which may any ways tend to alienate the hearts of our people from us or our government, and that their meetings be peaceable, openly and publickly held, and all persons freely admitted to them, and that they do signify and make known to some one or more of the next privy counsellors, sheriffs, stewarts, bailies, justices of the peace, or magistrates of burghs royal, what place or places they set apart for these uses, with the names of the preachers.

And, that all our subjects may enjoy such their religious assemblies with greater assurance and protection, we have thought fit, and do hereby command, that no disturbance of any kind be made or given unto them, under pain of our royal displeasure, and to be further proceeded against with the utmost severity; provided always, that their meetings be in houses, or places provided for the purpose, and not in the open fields, for which now after this our royal grace and favour shown, (which surpasses the hopes, and equals the very wishes of the most zealously concerned,) there is not the least shadow of excuse left; which meetings in fields we do hereby strictly prohibit and forbid, against all which we do leave our laws and acts of parliament in full force and vigour, notwithstanding the premisses; and do further command all our judges, magistrates, and officers of our forces, to prosecute such as shall be guilty of the said field conventicles or assemblies, with the utmost rigour, as they would avoid our highest displeasure; for we are confident none will, after these liberties and freedoms we have given to all, without reserve, to serve God in their own way, presume to meet in these assemblies, except such as make a pretence of religion to cover their treasonable designs against our royal person, and the peace of our government. And lastly, to the end all our good subjects may have notice of this our royal will and pleasure, we do hereby command our lyon king-at-arms, and his brethren, heralds, macers, pursevants, and messengers-at-arms, to make tiumeous proclamation thereof, at the Market-cross of Edinburgh: And, besides, the printing and publishing of this our royal proclamation, it is our express will and pleasure that the same be past under our great seal of that our kingdom *per saltum*, without passing any other seal or register. In order whereunto, these shall be to the directors of our chancellary and their deputies, for writing the same, and to our chan-

cellor, for causing our great seal aforesaid to be appended thereunto, a sufficient warrant.

Given at our Court at Windsor, the twenty-eight day of June,  
one thousand six hundred and eighty-seven, and of our reign  
the third year.

By his Majesty's command,

MELFORD.

No. II.

The Presbyterian Ministers ADDRESS of THANKS, (to King James VII.)  
July 21, 1687.

*May it please your Majesty,*

We, your Majesty's most loyal subjects, the ministers of the Presbyterian perswasion, in your ancient kingdom of Scotland, from the deep sense we have of your Majesty's gracious and surprising favour, in not only putting a stop to our long sad sufferings for nonconformity, but granting us the liberty of the public and peaceable exercise of our ministerial function, without any hazard; as we bless the great God who hath put this in your royal heart, do withal find ourselves bound in duty, to offer our most humble and hearty thanks to your sacred Majesty, the favour bestowed being to us, and all the people of our perswasion, valuable above all our earthly comforts; especially since we have ground from your Majesty to believe, that our loyalty is not be questioned upon the account of our being Presbyterians; who, as we have, amidst all former temptations, endeavoured, so are firmly resolved still to preserve an entire loyalty in our doctrine and practice, (consonant to our known principles, which, according to the Holy Scriptures, are contained in the Confession of Faith generally owned by Presbyterians, in all your Majesty's dominions;) and, by the help of God, so to demean ourselves, as your Majesty may find cause rather to enlarge, than to diminish our favours towards us; thoroughly perswading ourselves, from your Majesty's justice and goodness, that if we shall at any time be otherwise represented, your Majesty will not give credit to such information, until you take due cognition thereof: And humbly beseeching, that those who promote any disloyal principles and practices (as we do disown them), may be look'd upon as none of ours, whatsoever name they may assume to themselves.

May it please your most excellent Majesty, graciously to accept this our humble address, as proceeding from the plainness and sincerity of loyal and thankful hearts, much engaged by this your royal favour, to continue our fervent prayers to the King of Kings for divine illumination and conduct, with all other blessings, spiritual and temporal, ever to attend your royal person and government, which is the greatest duty can be rendered to your Majesty, by

Your Majesty's most humble, most faithful,  
and most obedient subjects.

Subscribed in our own names, and in the names of the rest of the brethren of our perswasion, at their desire.

No. III.

ADDRESS of the Inhabitants of Edinburgh and Canongage, 1687.

*May it please your most sacred Majesty,*

We cannot find suitable expressions to evidence our most humble

and grateful acknowledgments, for your Majesty's late gracious declaration, by which we are happily delivered of many sad and grievous burdens we have long groaned under, and (all restraints, to our great joy, being taken off,) are allowed the free and peaceable publick exercise of our religion, a mercy which is dearer to us than our lives and fortunes.

Could we open our hearts, your Majesty would undoubtedly see what deep sense and true zeal for your service, so surprising and signal a favour hath imprinted on our spirits; for which, we reckon ourselves highly obliged (throwing ourselves at your Majesty's feet) to return your most excellent Majesty, our most humble, dutiful, and hearty thanks; and we desire humbly to assure your Majesty, that as the principles of the Protestant religion, which, according to our Confession of Faith we profess, obligeth us, all the days of our lives, to that entire loyalty and duty to your Majesty's person and government, that no difference of religion can dissolve; so we hope, and, through God's assistance, shall still endeavour to demean ourselves in our practice, in such manner as shall evidence to the world, the truth and sincerity of our loyalty and gratitude, and make it appear that there is no inconsistency betwixt true loyalty and Presbyterian principles.

Great Sir, we humbly offer our dutiful and faithful assurances, that as we have not been hitherto wanting in that great duty, which our consciences bind upon us to pray for your Majesty, so this late refreshing and unexpected favour, will much more engage us in great sincerity, to continue still to offer up our desires to the God of heaven, by whom kings reign, and princes decree justice, to bless your royal Majesty's person and government, and, after an happy and comfortable reign on earth, to crown you with an uncorruptible crown of glory in heaven, which is most ardently prayed for, by

Most dread Sovereign,

Your Majesty's most humble, most loyal, most dutiful, and most obedient subjects.

Subscribed in our own names, and by order of the citizens and inhabitants of the Presbyterian perswasion, within your city of Edinburgh and Canongate.

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#### No. IV.

#### OVERTURES for making the Liberty practicable.

1. That all ministers who can conveniently meet together, associate themselves in the bounds of the Presbyteries, where formerly they had their congregations; and if there be not a number alive, that can make up a competent meeting, that they of the adjacent Presbyteries, or, if need and convenience be, all of the whole synod join together; and that they take in amongst their number, such ministers of their perswasion, as Providence hath cast to live in their bounds, until the Lord make way for their access, either to their own or other congregations, and also those whose charges have formerly been out of the nation.
2. That those meetings convene monthly, or more frequently, as the conveniency of the bounds, and necessity of their affairs requires.
3. That every minister in those bounds submit himself to his



brethren, and that none set up a congregation by himself, without the advice of his brethren, and the desire of the people.

4. That no expectants, without the bounds of the province, preach without acquainting some of the ministers of that bounds; and that no people invite any preachers without acquainting some of the ministers of the meeting. If they be strangers or expectants, they are to shew their testimonials.

5. That all who have not been ordained to particular flocks, come to the respective meetings of their residence and instruct their ordination; and that henceforth none be ordained indefinitely.

6. That there be a list given in of all the Presbyterian ministers alive, and of all probationers, who are to instruct their licences.

7. That until ministers can have access to their own congregations, and be accommodated with meeting-houses and dwelling-places, they do, in places of their present residence, with the advice of their brethren, and invitation of the people, exercise their ministry, or continue to do as formerly in their families.

8. That the respective meetings be careful to recommend to people, the bearing and calling of fit and qualified persons, and that special regard be had to such suffering ministers as cannot have access to their own congregations.

9. That it be recommended to the respective meetings to take narrow inspection of the whole bounds, and employ their brethren or expectants for supplying the people with preaching, and call for help, where need is, from ministers and expectants, from other provinces, and that they encourage young men in their studies, keep the rules of the assemblies in their trials, and ordain them upon calls from congregations.

10. That the respective meetings give their advice, and concur with the people for setting up of meeting-houses in the most convenient places, especially considering that one house may be useful for the people of divers adjacent congregations; and it cannot be expected that there can be as many meeting-houses as parishes, especially in the country.

11. That associate meetings take a prudent way to get the concurrence and countenance of persons of quality, for the furtherance of the gospel, have with them ruling elders, set up elderships where they are not, chuse moderators and clerks, keep registers of their proceedings, behaving themselves humbly and gainingly toward all those other perswasions.

12. That ministers, in their respective meeting-houses, lecture as formerly, preach, if able, twice every Lord's Day, and week days; and if they can conveniently exercise discipline, and endeavour to have knowledge of all who are subject unto them, be frequent in catechising as the great mean of edification, and obviating error, prepare the people for the sacrament, and administer the same so soon as they can conveniently, seeing it hath been so long in desuetude, cause to set up family worship, and exhort to seeking of God in secret, keep session-books, and registers of baptisms, and marriage, and collections for the poor.

13. That ministers, in their respective bounds, choose two delegates or more,—one of five; and if fewer, but one; and if but one, that that one come to attend the publick meetings, as they shall be called *pro re nata*, bring with them a ruling elder; and that every meeting correspond as formerly with the adjacent provinces.

14. That where there is not a constitute eldership among those of a meeting-house, who design to call a minister, the respective ministers of the bounds, send some of there number to constitute an

eldership, with the advice of the heads of families belonging thereunto, that the calling and settling of the minister there may be the more orderly.

15. That in supplying of meeting-houses, and planting of ministers, special regard be had to the noblemens, residences, and considerable congregations.

16. That special care be taken that Edinburgh, which is the chief city of the nation, where courts and judicatories, and persons of greatest quality reside, and which hath been most useful to suffering persons in these sad times, be especially regarded and provided with able, experienced, and godly men; and in the mean time, while ministers can be got to them in an orderly way, by transportation or otherwise, the respective ministers of the bounds carefully provide them with the most able of those whom Providence hath trusted to reside in the bounds.

17. That where a parish is in a capacity to give encouragement to a Presbyterian minister, where their old minister is alive, who was their called minister at the time of the change, that he be obliged to return to them, and they to adhere to him.

18. That care be taken, in meekness and love, to reclaim all persons, preachers, or others, who have stepped aside in the hour of temptation, and day of darkness, especially those who are given to wild courses.

19. That ministers who shall be settled in meeting-houses, carry abstractly, inoffensively, and unconcernedly, as to their own maintenance, that the world may see that it is not our own things, but the concerns of Christ Jesus we have before our eyes.

20. That preachers forget not to pray for our dread Sovereign, his consort, and the royal family, and persons in authority.

21. That unity, harmony, and love be entertained among ourselves, and former taken offences be covered with the mantle of charity and not noticed, except where there is matter of just and unquestionable offence to be removed, which is to be done by the respective meetings in the most prudent way.

22. That the respective meetings set apart days for prayer and humiliation among themselves.

23. That the respective meetings chuse their delegates the first day of their meeting, to be in readiness to come to Edinburgh the first Wednesday of October next, or sooner, if advertised by the brethren of the province of Edinburgh.

24. That doubles of the letters condescended on by this meeting, to be sent to congregations and ministers abroad in foreign parts, be transmitted to the respective meetings, to be made use of by them as the import requires.

[The last of those overtures brings me to the letter this same meeting agreed upon to be sent through the different congregations where there was any room for it; and it savours so much of a gospel and healing spirit, that it deserves a room here, and I give it from one of the original letters in my hand, signed by Mr Andrew Mortoun, moderator of the meeting.—*Wodrow*.]

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#### No. V.

LETTER (from the Meeting of Presbyterian Ministers) to the People.

*Dearlly beloved Friends in Christ,*

The ministers of the gospel, who have been here occasionally together, to consider of the improvement we are called to make of the signal and unexpected mercy God hath been pleased to bestow on this

poor afflicted Church, by putting it into the heart of the King to grant unto us the free and peaceable exercise of our ministry, so long denied to us, and the benefit thereof to you, having compassion upon the unsettled condition of the people, and considering what sad inconveniences they have been under, the many and great snares they have been exposed unto, through the want of the fixed inspection of their faithful pastors and guides; and not doubting but a great many are longing and thirsting after the same, have thought it their duty unanimously to concur in stirring up and encouraging those holy desires in you, that you may lay hold on the present opportunity for obtaining the sincere milk of the Word, and somewhat of these benefits you have been so long deprived of; beseeching you in the bowels of our Lord Jesus Christ, that laying aside all heats and animosities, mutual jealousies and suspicions, you may be perfectly joyned together in one mind and one heart, to promote this necessary work of your own and others edification and salvation; and, therefore, that such of you as want pastors, do seek, in the most orderly way, to be furnished with them, and such as have them yet alive in the kingdom, do call and encourage them home to their proper work, subjecting yourselves to their ministry; and those whose pastors are without the kingdom, do also use all diligence to call them home to you, endeavouring to have all obstructions removed out of the way of their return. And to enforce the same the more, it is desired that this letter of ours be transmitted to them by you, with your invitation to your respective pastors, as a testimony of our unanimous and hearty concurrence with you therein, and the joyning of our earnest desires with yours for their speedy return. Which, with your fervent prayers at the throne of grace, for the Lord's being pacified, his gracious return, and making his face to shine both upon you and us, that the good pleasure of the Lord may prosper among our hands, is all at present recommended to you, by

Your affectionate friend in Christ,

Subscribing at the desire of the ministers met at Edinburgh,  
July 21, 1687.

AND. MORTOUN.

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THE DECLARATION of his Highness WILLIAM HENRY, by the Grace of God Prince of Orange, &c., of the Reasons inducing him to appear in Arms for preserving of the Protestant Religion, and for restoring the Lawes and Liberties of the ancient Kingdome of Scotland.

It is both certain and evident to all men, that the publike peace and happines of any state or kingdome, can not be preserved, where the lawes, liberties, and customes established by the lawfull authority in it, are openly transgressed and annulled, more especially where the alteration of religion is endeavoured, and that a religion which is contrary to law is endeavoured to be introduced; upon which those who are most immediately concerned in it, are indispensably bound to endeavour to preserve and maintain the established lawes, liberties, and customes, and, above all, the religion and worship of God that is established among them; and to take such an effectuall care that the inhabitants of the said state or kingdome, may neither be deprived of



their religion nor of their civill rights. Which is so much the more necessary, because the greatness and security both of kings, royall families, and of all such as are in authority, as well as the happines of their subjects and people, depend, in a most especiall manner, upon the exact observation and maintenance of these their lawes, liberties, and customes.

Upon these grounds it is, that wee cannot any longer forbear to declare, that, to our great regret, wee see that those counsellours, who have now the chiefe credit with the King, have overturned the religion, lawes, and liberties, of those realmes, and subjected them in all things relating to their consciences, liberties, and properties to arbitrary government; and that not only by secret and indirect waies, but in an open and undisguised manner.

And indeed the lamentable effects of an arbitrary power and of evill counsells are so manifest in the deplorable state of the kingdome of Scotland, that both our reason and conscience doe prompt us to an abhorrence of them. For when wee consider the sad condition that nation, though always affectionate to the royall family, and governed for many ages by laws made by the authority of their kings, and of the estates of parliament, and by common customes, is reduced to, by endeavours that have been used to change the constitution of the monarchy regulate by laws, into a despotick or arbitrary power: which doth evidently appear not only by the actings of evill counsellours in power, but by the deliberate and expressive publick declarations, bearing that the king is an absolute monarch, to whom obedience ought to be given in all things without reserve, thereby to make way to introduce what religion they please, without so much as the necessity of the consent of the nation by their estates in parliament. Whilest wee consider and ponder these things as wee cannot but be touched with a tender sense of those miseries, so the giving such a remedy to them as may be proper and may answer the expectation of all good men, and true Protestants, is the great thing which wee propose to ourselves in this undertaking; the equity whereof will be justified to the world, if what hath been acted at the instigation of those evill counsellours be further impartially weighed.

It is well known that the lawes, privileges, and rights of the kingdome have been overturned to the great prejudice of King and people, whilst thus all foundation of confidence and trust is removed. And it is no less known what have been the arbitrary procedures of an encroaching privy councill; for although by the laws enacted by the authority of king and parliament, it is expressly prohibited that the Popish religion should be professed, or seminary priests suffered within the kingdome, or that the children of any noblemen or gentlemen should be sent abroad to be educated in Popish colledges; yet have these evill counsellours ordered or suffered young noblemen to be taken from their relations, and to be sent abroad to be instructed in Jesuites colledges, and have likewise caused schools to be erected under the conduct of Popish priests, and that in the capitall city of the kingdome.

In an open contempt also of the known laws of the kingdome, Papists are put into places of highest trust, both civil and military, and entrusted with all the forts and magazines. The rights and privileges of the royall burrows, the third estate of parliament, having as many deputies in it as all the shires in the kingdome, are taken away, and they hindered in the free election of their magistrates and town councells, to the manifest violation of their charters, established by law and immemoriall possession. And all this is done by mere arbitrary power, without any citation, triall, or sentence.

And whereas no nation whatsoever can subsist without the administration of good and impartial justice, upon which mens lives and liberties, their honours and estates depend, yet those evill counsellours have subjected these to an arbitrary and despotick power: having turned out judges, who by law ought to continue during their life or their good behaviour, because they would not conform themselves to their intentions, and put others in their places, who they believe would be more compliant, and that without any regard to their abilities: by which it evidently appears that those evill counsellours design to render themselves the absolute masters of the lives, honours, and estates of the subjects, without being restrained by any rule or law.

By the influence of the same evill counsellours hath a most exorbitant power been exercised in imposing bonds and oaths upon whole shires without any law or act of parliament: in permitting free quarters to the souldiers, although they had a sufficient establishment for their pay, whereby the kingdome was doubly burdened without any redres; in imprisoning gentlemen without any, so much as alleged, reason, forcing many to accuse and witness against themselves, imposing arbitrary fines, frighting and harassing many parts of the countrey with intercommoning and justice-airs, making some incurre forfeiture of life and fortune for the most generall and harmless converse even with their nearest relations outlawed. And thus bringing a consternation upon a great part of the kingdome, which when outlawries and intercommonings went out against multitudes upon the slenderest pretexts, was involved so universally in that danger, that those counsellours themselves were so obnoxious as to find it necessary to have pardons and indemnities, whilst the poor people were left to mercy; empowering officers and souldiers to act upon the subjects living in quiet and full peace, the greatest barbarities, in destroying them be hanging, shooting, and drowning them without any forme of law, or respect to age or sexe, or in giving some of them time to pray to God for mercy: and this for son but because they would not answer or satisfy them in such questions as they proposed to them without any warrant of law, and against the common interest of mankind, which frees all men from being obliged to discover their secret thoughts; besides, a great many other violences and oppressions, to which that poor nation had been exposed without any hope of having an end put to them, or to have relief from them.

And that the arbitrary and illegall proceedings of those evill counsellours might be justified and supported, such a declaration hath been procured by them, as strikes at the root of the government, and overturns the most sacred rights of it, in making all parliaments unnecessary, and taking away all defences of religion, liberty, and property, by an assumed and altered absolute power, to which obedience is required without reserve: which every good Christian is perswaded to be due to God Almighty alone, all whose commandements are always just and good.

These ovill counsellours have used their utmost endeavours to abolish penall laws, excluding all who are not Protestants from publick trust, which give too great a check to their designs. For the accomplishing of this a liberty hath been granted to Dissenters; but such as one, as that the continuance thereof is plainly insinuated to depend upon their hearty concurrence for abolishing the abovementioned penall laws, the only legal defence of their religion; although the Dissenters have just cause of distrust when they call to mind how some hundreds of their ministers were driven out of their churches without either accusation or citation: the filling of many of whose places with ignorant and scandalous persons, hath been one great occasion of all



those miseries which that countrey, for a long time, hath groaned under. And Dissenters have but small grounds to rest on any present ease founded upon a proclamation which may be recalled every hour, and which, in the first and second editions of it, gave no relief to them, especially, considering, that not many months before, the greatest of the forementioned severities and barbarities had been exercised upon them.

But, to crown all, there are great and violent presumptions, inducing us to believe, that those evill counsellours, in order to the carrying on of their ill designs, and to the gaining to themselves the more time for the effecting of them for the encouraging of their complices, and, for the discouraging of all good subjects, have published that the Queen hath brought forth a son: tho there have appeared both during the Queens pretended bignes; and, in the manner in which the birth was managed, so many just and visible grounds of suspicion, that not only we ourselves, but all the good subjects of those kingdoms doe vehemently suspect that the pretended Prince of Wales was not born by the Queen. And it is notoriously known to all the world that many both doubted the Queens bignes, and of the birth of the child, and yet there was not any one thing done to satisfy them, or to put an end to their doubts.

And since our dearest and most entirely beloved consort, the Princesse, and likewise wee ourselves have so great an interest in this matter, and such a right, as all the world knows, to the succession of these kingdoms, which those men have attempted to violate, for preventing of all redress of miseries, by the lawfull successors of the crown, educated by the good providence of God, in the true profession of the Protestant religion, wee cannot excuse ourselves from espousing the true interests of these nations in matters of such high consequence, and from contributing all that lies in us for the defence of the laws and liberties thereof, the maintaining of the Protestant religion in them, and tho securing of the people in the enjoyment of all their just rights.

But that our intentions may be so manifest that no person may doubt or pretend to doubt thereof, to excuse themselves from concurring with us in the just design for the universall good of the nation. Wee do declare that the freeing that kingdome from all hazard of Popery and arbitrary power for the future, and the delivering it from what at the present doth expose it to both, the settling of it by Parliament upon such a solid basis as to its religious and civill concerns as may most effectually redress all the abovementioned grievances, are the true reasons of our present undertaking as to that nation.

And therefore wee persnade ourselves that our endeavours to give the best assistance wee can for the relief of so distressed a kingdome, shall not only not be misconstrued, but shall also be accompanied with a cheerfull and universall concurrence of the whole nation, that even those who have been instruments for the enslaving of it, will now show their dislike of what they have done by their timeous and reasonable diligence for its rescue; and if any shall not give us that assistance which their conscience to God, and their respect to their countrey oblige them to, they shall be justly charged with all the evils that may be the effects of such a want of their duty.

And as wee ourselves desire to trust to the Almighty God alone for the success of our arms, so wee expect of all good men that they will apply themselves to him most earnestly for his blessing upon our endeavours, that so they may rend to the glory of his great name, to the establishment of the reformed churches, and to the peace and happiness of that kingdome.



Given under our hand and seal at our court in the Hague, tenth of October, in the year of our Lord 1688.

WILLIAM HENRY, Prince of Orange.

By his Highnesses special command,

C. HUYGENS.

ADDRESS, the Presbiterians of Scotland to the Prince of Orange.

[There is no date upon this document, which is copied from Wodrow's Collection; but, from its being addressed to the Prince of Orange, it most probably was about the time that the Convention tendered the Crown to William and Mary.]

*May it please your Royall Highnes.*

When we consider how the Lord did bless your illustrious progenitors in being the hapie instruments of so much good to his Church, and in standing in the gape, and appearing for the people of God his truth and interest in the tymes of greatest extremitities, when maters seemed desperate in the eyes of all who could look no higher than the hand of the second causes, and how the Lord crowned the resolute indeavors with the successe of planting a beautifull church in the United Provinces, and delyvering the people of God ther, from the fury of the Spanish persecutiones, and that your royall Highnes hath succeeded these worthies of the land as in their estates, and dignities, so in their zeal for the gospell of Chryst, sympathie with the suffering people, and magnanimous resolutione in appearing in such ane astonishing way for the kingdome of our Lord Jesus and for his faithfull servants, whyle lying in the mouth of the lyon, qlk refuge failed, and we looked on the right and left hands and no man was found, till the Lord raised up your royall Hienes, and put it in your heart to lay down lyfe and all things of an incorporall interest at the stake, qlk ye did act for his glory and lamentably oppressed servants. Ah! we have not hearts to pryze that wonderfull mercy! The greatest of past and present sufferings, the unexpressable hazard, the remeedless conditione (as to the hand of man), wee seemed to be in, do lighten the mercy beyond our apprehensione, so that, when your Highnes first appeared, we were like them that dream, and our hearts were filled with mater of hope and joy: yet how were we overwhelmed with fear, considering our provocations and sining in the face of judgments, and in a day of so much wrath and indignatione, the combinatione of so much potent adversaries, the perills from wind and rageing sea, the hazard to your valient army, but especiallie to your Highnes royall persone, sent us to the throne of grace, (and O how great had our guiltiness been if wee had lyen by) to wrestle for the protectione of heaven towards your Highnes persone, army and navy; and now that the Lord hath not dyspyed the prayer of the destitute, and has made his outstretched arm appear in the prudent conduct and desyrable success of such ane heroick undertaking, and that the Lord hath melted the hearts of some in making them joyn with your Highnes forces, hath bound up the hands of implacable enemies, and hath stopt allways for escaping, is the doeing of our God and wonderfull in our eyes. God forbid that ever we forgett such a mercie so that we neglect to stir up the people under our charge, to magnifie his name for reasonable and so great a mercy, qch, upon severall accounts, may be compared with the delivering of God's people out of Egypt, and out of Babylon, and from anti-

Christian darknes by the reformatione begun by Zwinglius and Luther, if now we get grace to improve it to the honour of his name.

Great Sir, as the welfare and happines of the Church hath mainly influenced your Highnes great undertaking, so we are confident that the said caice of the Church of Scotland, occasioned by the overturning that beautifull government, the Presbyterian government of the Church established ther, and other churches of France, United Provinces, &c., will, by your tender care and providence, now find ane suitable remedy, and that your Highnes will commisserat the deplorable state of a Church once famous for its reformatione purity, piety, and unity; and how refreshing was it to Chrysts afflicted ones to find that your Highnes was so nearly concerned and so deeply touched with our deep sufferings, as to hold forth your sympathy in your Highnes gracious declaratione, conteaning ane just epitome of our sad tryalls, (and on such account unparalliled sufferings which would requyre a volume for rehearsing the severall particulars, and giving a full history of the mercyles persecutions we were forced to lie under since the creatione of Prelacie;) yet the severity ran to such a hight, that, by the act 8, K. Jan. 7, parliament it was statute, and ordained that all preachers in house or field conventickles should be punished by death, and confiscatione of goods; and though, by the light of nature and law of nationes, it be the oppressed innocents refuge to supplicat the judge or ruler, it was accompted ane cryme of the highest demerits. and his Majesties commissioner, in his first Parliament, after his return from exyll, sent to the severall provinciall synods then meeting at the sett tyme, to raise them, which accordingly they did. So soon as they did move, as all of them were to doe, towards ane supplicatione to the parliament for ratifyeing the government of the Church established by the K. and solemue act of parliament; and if tongue can express the oppressions we have mett with since that day; and though it were not pertinent in this our humble addresse to trouble your royal Highnes with an accompt of the particulars, yet we have given to these now sent from us to your Highnes such informatione concerning these as during the tyme of our staying together we could provyde, which they are ready to offer to your Highnes quhen required. Neither could we take upon us to condescend upon any method for remedy of our grievances. But intierly relying upon your Highnes zeall for the glory of God and of his Church, doe, in all humility and in the bowells of Chryst, intreat your Highnes to procure the extirpatione of Prelacie and the establishment of the Presbyterian government of this Church, and the restoring of the faithfull ministers of Chryst to thir respective charges from which they were unjustly thrust out.

It will not (wee hope) seem strange to your Highnes goodnes though some of us being on the place, the K. allowed the ministers the free exercise of thir ministrie, opened the prison doors and let the captives at liberty, recalled the exylled, took of the arrests, and permitted these to return to thir homes who knew not where to hide thir heads, did, by the address, thankfully acknowledge the favor of a litle respite from so much slavery and intolerable sufferings; all of them being ready solemnly to protest that it was far from thir thoughts to homologat the liberty granted to Papists, or the arbitrary dispensing power (to speak nothing of the absolute power, without reservation, claimed by his Majestie, and asserted by parliament and counsell.) But with confidence of your Highnes perswasione of our integrity in that mater, makes us forbear any farther apology. But O! as the Lord hes followed your pious endeavours for delyvering Brittan and Ireland from the persecutions they were lying under (while they could espy no remedy) with wonderfull success, so he would be pleased to strengthen

your Highnes for goeing on in this work, and making yow ane hapy instrument for delivering ther churches [from] under Popish persecutions. Babylon the great most fall, and that this may be the tyme and your Highnes the man of Gods right hand wham he hath made strong for being eminently instrumentall in such ane glorious work,—that he would more and more sanctifie and humble you under his bountifull dispensationes, would guard and preserue your personc, and multiply his choice blessings, spirituall and temporall, on your precious Princess, your royall consort, shall be the continowall prayer of

Seren Highnes,

Your asiduons orators at the thron of grace, and most faithfull and humble servants.

Sir,—If we most have mett for moveing in this great concernment, or had knowen how to transmit any testimonie of your congratulatione at your Highnes saif arryval, we had not been so far wanting in duety as to have delayed to this tyme, and if it had been suposed needful to have called ane farther meeting, we know few do now, except such as are byassed by interest, or occasione to our persecutione, who would not have cordially concurred in our gratulatione; so in this our humble supplicatione to your royal Highnes, for evidencing our zeall to your Highnes happines and prosperity, we have appoynted ane soleimn day of thanksgiving for your Highnes great and glorious success to be furthwith observed in all and that continowall prayers be powered out to God for your Highnes and royall consort, as in families and privat devotions, so in privat meetings.

(Titled on the back,—“The Presbyterian’s Adress to the Prince of Orange, 1689.”) Wodrow’s M.S., vol. 34, No. 2., in Advocates’ Library. There is another address to the same effect in the appendix to Wodrow’s printed work, vol. ii. p. 211, which bears to be signed in January 1689, and which has a modernized aspect, if it be authentic.

## LEVEN AND MELVILL PAPERS.

### I.

LETTER, Lord MELVILL to the Earl of DUNFERMLINE.

Edinburgh, 25th January 1689.

My Lord Airlie came home one Monday last with Calder. The west countrey is gone mad, having dispossesst all the ministers of their churches, and have killed one Mr Love a minister at Glasgow. It is thought they have a designe to be here to doe the lyke. \* \* \*

### II.

LETTER, Lord STAIR to Lord MELVILL.

London, 27th March 1689.

If alteration be to be made in the Church, it will be great unkindness to the King to have it after that he is proclaimed, for then it must



have his consent and will lay the charge at his door. The High Church men are alarmed heir at his speech in parliament, to tak off all restraints of Protestants, that all of them might be capable to serve in this conjunctur.

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## III.

Sir JOHN DALRY PLE to Lord MELVILL.

June 26, 1689.

After this act was twice read over, my Lord Com. told that tomorrow he would bring in Church government; bot he told me this night that some Presbyterian ministers had been with him for a delay, which I apprehend is granted. The party thinks the King will certainly, in that session, establish the Church government; and if it were done, other things that are not so much of moment may be left unfinished,—therefore they are prevailed with to staff off that which wold anticipat many idle and humourous questions, bot I am sur the generality of the ministers wold not be off that opinion. So tomorrow we ar like to hav a warm dyett.

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## IV.

Earl of CRAWFORD to Lord MELVILL.

27th June 1689.

Our heats and animosities do rather grow then decrease; and yet I am of opinion, if this parliament be dissolved, tho King's interest may be in danger of ruining in this nation, for no new choise can possibly be expected to any advantage, nor do I think that an adjournment could be ventured on without manifest danger and a construction of the body of the nation, that a breach were designed betwixt the King and his people. Some are industriously spreading reports that few of the grievances shall be redressed, and others are at little pains to undeceive in this matter, who perfectly know the King's readiness to gratifie his people in all their just desyres. It is now evident, by a motion allready tabled in parliament, that all shall be voted incapable of publick trust, who, being formerly in the rule, were judged grievous, and that some particular acquaintances of your lordships and mine are aimed at. Things of this nature, alswell as new grievances, are conserted in privat clubbs, and then by some leading member dayly presented in the house, when, after some short arguing, (for which the one syde is altogether unprepared), they go to a vote, which method is farr more agreeable to their temper, and more effectually dispatches their bussiness then if they were under the consideration of a committee, where thoy could not be so perfectly secret, nor so unanimously agreed to as in their caballs. One method by which they act is their chiefe toole with which they trade in the representation which they inculcate with all the cunning and insinuation imaginable, that your lordship and my Lord Stares designs to obstruct the settlement of pure Presbyterie, and frankly do offer to serve that interest to the full, in caise others comply with them previously to concurr in some methods which may strengthen their interest, and strip your lordship of some

of those whom they name your friends. When I came to understand, with some assurance, that this was the prevailing argument, and that no privat discourses would cure them of this mistake, I made the question to know, if they found an equal readiness in your lordship's friends, and these of my Lord Stares, for the settling of the Presbyterian government, would they then be prevailed with to consider of your lordship and him as good countrymen, and forbear their insisting on new grivances? This has been my work yesterday in the afternoon, and all day, and, with tolerable success, upon which, by myself and others, the commissioner hes been strongly urged, and at last hes agreed to table the bussiness of Church government too-morrow in Parliament, where an indication of his own temper in that matter will either weaken or advance his interest as he behaves; but the chiefe sticklers in matters this evening, smelled my aim of friendship to your lordship, and the loss they shall be at when the zeal of others for that way, shall equall if not outdoe theirs, and are now importuning the Presbyterian ministers, that they deal with the members to wave that matter for a fortnight, against which tyme they shall have all things so conserted that the issue cannot faile to be favourable. If they succeed in this, I have ground to believe that their procedour against your lordship's friends will run very high before that tyme elapse. They make use of a by occasion for favouring of this delay. An address from the conforme ministers in the diocie of Aberdeen for a generall assembly, which if agreed to, they bring foure to one, in respect of the ministers of the Presbyterian way, shall effectully restore their interest, or at least impead the settlement of pure Presbyctrie. The eommissioner has received that address, and plainly tells that if overtures be made for the onc syde, he will listen to them in behalfe of the other. This does so alarm members, that I am afraid they shall be diverted from dipping much in this subject to-morrow; and, in that caice, the old project shall continue, except we who are your lordship's friends shall warmly concern our selves, and give evidence of our zeal beyond others, to have the house of God well appoynted.

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V.

Master of STAIR (Sir J. DALRYMPLE) to Lord MELVILL.

January 28, 1689.

\* \* \* The ministers who are heir are but few, and most of them ingadged in the club. They did solicit it, with all their power, not to bring in their address which was finished on Wednesday, nor any Church matter, till the stat were first reformed, bein threatened, that, if they left their friends in humour, they wold leav them in necessity, and, with all, the commissioner and they will probably come to a breach when this comes in. They wer told that the tyd running to strip the crown of all its prerogative, and lodge all in the people, if they wer so farr from a peacable temper as to furnish an occasion of a cessation, that, rather then the King wer not spoiled, they would ventur their own settlement, he could not construct that weill; yet all wold not prevail with thes. One tho' I am sur the bulk wold not take this cours. Then we did proceed with the act which is shortly to incapacatate all thes who wer grievous in the former government, or who had bein opposit to this revolution, or who had bein opposers or retarders of the states doings. Thes generalls, if the application were in hands indifferent, or that the King gott any shiar or not at all to be contended against, only it implyes the King, notwith-

standing of his declaration and the two letters from the committy and estats remembering him of the sam things, yet he had contraveen and was like not to keep either his promise or their advice.

## VI.

Sir JOHN DALRYMPLE Master of STAIR to Lord MELVILL.

Edinburgh, July 2, 1689.

\* \* \* Ther was an act brought in for establishing Episcopacy, in the tearms of the instrument of government. Ther was a claus added to the end that gav offenc to the commissioner, being added after it was showen to him about the settling of Presbyterian government. Ther was an address read from the Sinod of Aberdeen desiring a confernee and an union amongst the Protestants, differing only in small matters. Its probable the other act will pase.

## VII.

Earl of CRAWFORD to Lord MELVILL.

July 6, 1689.

Upon great importunitie from several members and others of most interest with him, my Lord Commisioner was prevailed with yesterday to be a little more pleasant anent Church government than was expected. Yet the inclosed acts were once, more extensive and favourable than they are now conserted, and he delays to touch them with the sceptre until he see the whole platform that is designed. A new supply of money was likewise tabled, and universally well relished in the house; but the members resolvit to do nothing in it until the committee, after their own modell, were once chosen for settling of Church government, and that some of their grievances were redressed. \* \* \* The last dyett of Parliament, there was not a single person among us that had the confidenece to urge any thing for prelatie, and they were but a handfull that spoke of restricting of Presbyterie. Whatever was of that kind was chiefly urged by the commissioner, without appearing for: it would have no entertainment in our house.

## VIII.

Master of STAIR to Lord MELVILL.

12th July 1689.

\* \* My Lord,—This day hath, I hope, convinet the wordle of the malice and self designs of thes few persons who hav been instrumentall to make the Presbyterians refuse or delay ther own happines; and, I hop, upon Wednesday next, they will be wiser; tho' Skelmorly, Polwart, and the club, do continue impudently mad yet, but I fear that the commissioner may take the advantage of his instructions, and adjourn them when they fall easy about the Church government, which he does not wish to establish, without such qualifications as will not satisfy them; and ther is great danger that, if the parliament ryse without settling the Church government, that ther will be tumults and confusions in holding and usurping of pulpits. \* \* \*



## IX.

Lord CARDROSS to Lord MELVILL.

20th July 1689.

\* \* The Church government was tabled and three general acts presented to be past, all which wer, after reading, delayed to the then next sederunt, which was yesterday. All wer now in some hopes of a good agreement, and that the Church matters wold goe vigorously one. \* \* \* If Church matters come in on Munday, I suppose it will be that act that only takes away patronage and restores the outed Presbyterian ministers that are alive, that will pass. The act that was presented by my Lord Commissioner wold make us in as ill a condition as we were if not wors.

## X.

Master of STAIR to Lord MELVILL.

July 24.

\* \* I see we shall make no advance at this tim in the Church government. Sum talk that they will not hav Presbitry established till the Church be purged, and it be cleered in whos hands it must be committed: so they say (for I know nothing till the club bring it in) that ther may be an act in plain parliament, that all thirst out either by ther nonconformity to Episcopacy or the test may be restored, and a committy of parliament named, eight for each estat, with som ministers on both sydes to eonsider who of the curats ar vicious and scandalous, and who ar to be retained. \* \*

## XI.

Earl of CRAWFORD to Lord MELVILL.

1st August 1689.

My Lord,—Yesterday the act restoring the Presbyterian ministers who were turned out since 1661 for their nonconformitie to Prelacy, past the house, but was not touched by the scepter tho' it was greatly urged. Another act was dropt, for restoring such of the conformists as had gone off for the test in 1681, whieh, after much debate yesterday, and some little arguing to-day, was waved as a thing unagreeable to the house. The consequences of that act would have been ruineing to the Presbyterian interest, and that for several reasons:—The pretence for the restoring of them being founded upon the elaim of right, as leised persons, would by a stronger argument, likewise have reponed all those ministers in the west and south eountry, who, upon the change of affairs, had been turned out by the people, which, in the meeting of the estates, was considered as a thing not to be quarrelled, least wee should disturb the peace in those shires, and who in no ease would allow of their returning, and the rather that ministers of their own way are fixed in their churches. 2dly, If all those had an equall shaire in the rule with the nonconformists, as was pleaded, they being farr more in number, might and would in a short time overturn the Church government, and depose, if they pleased, the Presbyterians. 3dly, If our ministers, before the conformists submitting to prisbitrie, should join in meetings with them, the people would certainly forsake both. 4thly, Such a method of reponing of those ministers, would effectually destroy the call of the people, and confirme patronages. 5thly, As many of those ministers came not in by the Church at first, so it would

be a confirmation of the magistrats power for that effect in all time coming. 6thly, Of those that went of for the test, some quite their charges for maintaining the divine right of Prelacy,—others for being unsound in the faith, Arminians and Socinians, and upon that reason disowning our Confession of Faith; and some being scandalous in their life, thought it the most specious pretence upon which they could leave their churches. 7thly, If there were any change in their principle, they would have applyed to the ministers, and not to the parliament, who would have trated them, upon their submission, with all the Christian charitie imagineable. 8thly, There are of these anti-testors, severalls, yea, the most of them, already fixed in other churches, in token that they went not off for nonconformitie, but were against things that were truly good in the test. 9thly, The act makes no distinction amongst those ministers, whereas many of them do not own the present government by praying for our King and Queen; some of them pray for the late king, and a few have been in company with the Lord Dundee and his associates. I am the larger upon this theam, in that I am told the commissioner may represent it at court with all the specious pretexts imaginable; and that, if he succeed in it, our ministers will preach upon their adventure, as in former times, without a desire to have the least shairo in the government. Since I was told by the commissioner that I was not to proceed more in the council, I have never attended,—nor did my friends and acquaintances judge I could in credit give presence under another capacitie than I once had, which has putt the commissioner to some trouble of proceeding himsele, notwithstanding of his present character, since none belonging to the councill would put that affront on me as to justifie that act of his, commanding me from the chair, and upon a ground which they could not find the least shaddow of offence done to him, the board, or the government. \* \* \* I find the body of the nation much dissatisfied that nothing can be extorted from him in relation to the Church, the forfaultures, or fynes, without great violence to his temper and much importunitie upon their side; and when an act is obtained by much clamour, that he denies to touch it though never so much urged, so that what is done in these three points, does only express the inclinations of the people without further effect. I am dayly more and more confirmed, that our King has no steady friends in this nation but such as are of the Presbyterian persuasion; and, on the contrary, every Episcopall man of the clergy, and, for the most part, even the Laicks, are using their utmost artifices to continue, if not increase, the disgust that many have conceived at the present government, and that all the acts of favour, that the King is capable of conferring on us, shall not so strengthen his interest, and throughlie engage the hearts of his friends as a present settlement of Presbyterian government, a reducing of forfaultures, and a refounding of fynes, which, if the commissioner would concurr heartily in, would very quickly be found the generall inclinations of this parliament, his Majesty's friends would frankly give him their money, would readily venture their lives; and his enemies, if that course were taken, would quickly stoop to the present establishment. \* \* \*

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## XII.

Lord of CRAWFORD to Lord LEVEN

5th August 1639.

\* \* \* I have talked with two of the most reverend and judicious of our ministers, and taken them engaged not to use your or my name

to their brethren in any representation they make, whether they shall waite on the King, or by a lyne address to him,—since one of the two seems necessary to take off discourses and to informe the King of their principles and his interest in reference to Church matters.

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### XIII.

The Master of STAIR to Lord LEVEN.

7th August 1689.

\* \* \* My Lord Sinclair,—Callander and Duffus were written to for their attendance before the counsell. I hear they hav got together about fyftey horses, and ar gon northward. Southesk, Strathmor, and Glames, with som gentlemen in thes places, wer likwys required. Its feard they follow that sam cours. This last week they hav fallen upon many of the clergy who read the proclamation, and do pray for the King and Queen, and turned them out of the doors and churches. \* \* \* The club will influenc things alwys to go wors and wors, till such tim as the Kings inclinations be understood, and then men will either acquies or they must do it. I see little difficulty or danger on that head. \* \* \*

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### XIV.

Master of STAIR to LORD MELVILL.

Edinburgh, August 8, 1689.

\* \* I told your lordship, in my last, the address which the club had framed. Ther is a publick office to it. Polwart and Skelmorley do attend day about to confer with the severall persons, who, upon the streets or other places, ar picked up and brought thither to be satisfyed of ther scruples. \* \* This day the generall meeting of ministers sat down. They hav been spoken to that, if they mak any address, it should be to distinguis themselves from thes who hav joined in the faction or meddled in the King's busines; but I do apprehend they will run the sam cours with the club, tho' my Lord Carmichaell hopes otherwys, and endeavours that they should make ther application try your lop,—but they did yesterday choice Polwart, Skelmorley, Sutherland, and Arbuthuott upon the committy, so nothing can be expected from that juncto. Really its not tollerable to hear the common talk of the club. Ther is nothing mor easy then to say they will force the King to do them right, and they wold turn out another for what he hath don. Ther hath bein great endeavours to gett the west countrey men com in heir in a body, bot I do think the greatest danger of thats over.

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### XV.

Lord CRAWFORD to Lord MELVILL.

Edinburgh, 10th August 1689.

\* \* \* An address to his Majestie from the Presbyterian ministers is preparing, and two of their number designing up to improve it to the best advantage. I have pressed that it be soberly worded, and nothing be pleaded for but what shall be plainly necessary for their interest. The bulk of the conformists are everywhere praying for the late king, for some of them may be more reserved in their way



then others, of them are of the same inclinations, and have dis-  
served our King's interest more then the army that hath been in the  
fields in opposition to us, and it is in vaine to expect peace in this  
nation untill the Presbiterian government be settled, and these dis-  
turbars of our quiet be laid aside, and such as countenances them  
be divested of power. \* \* \*

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## XVI.

Mr JOHN LAW to Mr KENNEDY of Cloburn.

Edinburgh, August 13, 1689.

\* \* The generall meeting has formed an addresse to be sent to  
his Majesty by some of the number, with a letter to the Secretary of  
Stat, which answers what you desyre in your letter. We have dis-  
couraging accounts here, as if Prelacy might yet come to be esta-  
blished, but they are so vaine that they are not layed much weight on,  
and are looked upon as artifices of thes that wishes us no good, for  
creating of jealousies. \* \* \* I know ther is on thing which  
makes a elamour here, and its lyk to mak on ther also; and cace is  
that we wer so long in giving in an addresse for establishing the go-  
vernment, and I can hardly, at such a distanee, give the full account  
of this, only consider, that if the government had been established, all  
the conformed elergie might have constitut themselves in Presbiteries  
and synods, and so would have had the government in ther hand, the  
danger of which is palpable enough. \* \* \*

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## XVII.

THO. DUNBAR to Lord MELVILL.

4th September 1689.

Ye ar not unknown to the condition of this poor nation. Our  
Church and countray has been long in ane broken staite; and much  
hes been expected from this happie Revolution and his Majesties de-  
claration, yet theres nothing done this session of parliament to quiett  
the minds of the people, aither in referenece to church or countray.  
Wher the blame lyes, the Lord knows. Sure I am of one thing:  
never can onie king hav a more loyall parliament. The honest  
partie (to vitt the Presbiterian), who ar undoubtedly the King's  
surest friendes, and by farr the strongest in the house and kingdome,  
expect gryt thinges from your lordship, and that ye will shoue your-  
selfe for God's interest, the King and countrys good, and who knows  
but the Lord has reased you up and advanced you at such a tyme for  
this verie end.

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## XVIII.

Earl of CRAWFORD to Lord MELVILL.

8th October 1689.

My Lord,—I have for some time been much urged by Presbiterian  
ministers and others of our way, that a proclamation from counceill be  
issued out, prohibiting the leidges to imploy in ehurehes, such of the  
conform elergy as for their disaffection to the civill government, have  
been turned out of their particular charges; it being their constant

practice to preach in their brethren's congregations, who have been likewise depryved, and they in theirs and to inflame the people by discourses against the government, and that without the least acknowledgement of it, by which ill humours are equally kept up as if they had continued in their fixed abodes. If this method be tollerat, any purge the Church has had will be little significant, and ill inclyned patrons will not faile to fill their churches with such, rather than with men of another stamp. I would not bring this overture in the publick, however convenient for our interests, untill once I had made tryall of your lordships judgement and inclination in the matter, for to table it and not [go] through, it would be highly prejudiciall to our interest. There is no doubt the thing would carry in the councill, and in my ear has been suggested to me by severalls of our number, but I would not adventure on this step without your lordships warrant, or at least tollerance. Notwithstanding of the insulting of those clergie who upon that account make little other then a sport of all the councill has acted to them, if your lordship shall forbid it, this procedour, it would be kept perfectly secret; for if our adversaries have the least hint that this overtour has been made at court, or to your lordship, and is waved as inconvenient, it would be of very sadd consequence to our interest; every whisper thats favourable for the Prelates partie, or application at court for them, or refuse all of any desire for ours being still aggredged to that pitch, as it occasions boasting from our enemies, and sadd frights and faintings amongst our friends. I shall give but one instance of this. There being a report that Doctor Faa carried up an address in the name of the Episcopall clergy, and that he is like to have many patrons at court for seconding that application, there hes been a very deep concern upon the spirits of our people, least he gett too favourable a hearing, and prevale for such a mixture among our churchmen as should entirely breake all our measures in our Reformation among its members. I doubt nothing but your lordship will manage this with a great deall of tenderness, the consequence of it being very considerable in the opinion of the most judicious in this place. What your lordship advises in it shall very readily be obeyed, by &c.

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## XIX.

Earl of CRAWFORD to Lord MELVILL.

12th October 1689.

\* \* \* In relation to the other particular in your lordship's letter, anent the procedour against the conforming clergy, you shall have ane ingenuous and full account. Upon the happy change of the civill government, it was thought necessary that all ranks of people should one way or other, acknowledge their sense of it; and since the influence of ministers as well as their number was great, so those of both persuasions by an act of the meeting of the estates were in testimony of their loyalty at different dyetts, according to their distance from Edinburgh, appointed to read a proclamation, certifying the leidges that none should presume to own or acknowledge the late King James the Seventh, or upon their highest perrill, by word, writing, or in sermons, or any manner of way, impugn or disown the royall authoritie of William and Mary, King and Queen of Scotland, but should render to them their dutiefull obedience: and that none should misconstrue the proceeding of the estates, or creat jealousies or misapprehensions of the actings of the government, and that all the ministers of the gospel, within the kingdome, publickly pray for King William and Queen Mary, as King and Queen of Scotland, and read

that proclamation from their pulpits, upon the respective dayes therein appointed, under the paine of being deprived and loseing their benefices. This act was revived on the sixt of August, in a full councill, while the Duke of Hamilton was here; and all parishioners and hearers of such ministers as had neglected, and slighted the reading of that proclamation, or omitted to pray for King William and Queen Mary, were not only allowed but invited to cite such ministers before the privy councill, and warrands granted for aducing witnesses to prove the same, that such as had disobeyed, might, by a legall sentence, be deprived of their benefices. By a second act of councill on the 22d of August, this matter was again revived, those ministers haveing for the most part continued still obstinate. On the 24th of August, by a third act of councill, a proclamation was issued out for keeping of a solemn fast for the saifety and preservation of the Protestant religion, and the blessed success on that great and glorious work of this nation, its being delyvered from Poprie and slaverie, so seasonably begun; certifying all those who shall contemn or neglect such a religious and necessary dutie, that they shall be proceeded against and punished, as contemnners of his Majesties authoritie, neglecters of religious services, and as persons disaffected to the Protestant religion, as well as to their Majesties royall persons and government. Your lordship has here the law in its full extent. I shall now as ingenuously represent matter of fact: 1,—There is not one single instance of a ministers being deprived for not keeping that fast, even where the paper was delyvered to them and they owned the receipt of it, and sometimes with contemptuous expressions, refused their obedience to it. 2d,—None were deprived where there was express praying for our King and Queen, even tho' there had been a neglect in reading that proclamation, so peremptorily enjoyned by the meeting of the estates, provyding they had not contemptuously refused to read it, which same did (who otherways prayed for our King and Queen,) as being unfree to approve of laying aside of King James. 3d,—Where that proclamation was really read, either by ministers or presenters by their order, and authoritie so far countenanced, we did not deprive such, tho' they had only prayed in indirect termes, for King and Queen, notwithstanding the tenor of the proclamation that appoints them to be named and prayed for as our King and Queen. But the truth is, there were few before us but had transgressed in all respects, in omitting to read the proclamation, had forbore to pray for King and Queen, neglected to observe the fast; yea the instances are many fold where, to the bute of all these contempts of authorities, they likewise prayed for the late King James. And in testimony of the certainty of thir things, there are none of those wee have deprived, and do now preach occasionallie in other churches then their own, but do yet continue in their former way, without the least compliance. Then, for warrand of the counells proceduor, tho' there had been less cawtion then I have truely represented, the act of the meeting of the Estates, anent ministers behaveour was so express, and the certification for their disobedience so plaine, that we did not think ourselves in saifetie to alter or minch the termes of it, being an assembly we judged superior to us. Besides, wee found the most of those men either corresponders with the late Viscount Dundee, or instigators of their people to join him. And that the disaffection to the civil government which is observable in many places, as it had its rise from them, so is still industriously kept up by them; and in further token of our tenderness in this matter, above 20 of those who have been before us (even when in some respects they were found faultie if the evidences were not



nottar or the guilt deep,) were assoilzed by us, without the least regard to their ignorance, scandalousness of their lives, or dislike of their people to them. And to conclude this matter, tho' I am convinced that his Majestie, not only has not one well wisher amongst them all, but that there are few who have not in some fashion or other combyned against the government, so in no instance, came ever the matter to my vote, nor have I in discourse been among the number of those who have been most forward against them, and seldom straiting them in questions at the barr, where there was not deep prevarication to elude justice. \* \* \* \* \*

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## XX.

Lord CRAWFORD to Lord MELVILL.

14th November 1689.

My Lord,—You have by this post the councill's whole procedour against the Episcopall clergy, and a little paper narrating the circumstances of three of them, not so particularly exprest in the large account. \* \* \* The miseries that for a tract of years this nation had groaned under, being byond all contradiction, found to be an effect of the dislike of our people to Prelacy, the meeting of the Estates tabled that matter as an unsupportable grievance; and no sooner was our King's right declared, when by a proclamation, all ranks of people were ordered to acknowledge him as their only lawful Sovereign, and all ministers of the gospell, were appointed publicly from their pulpits to read a paper owning him and the Queen, as King and Queen of this realm, and to pray for them by their names to distinguish them from the late King and Queen. This was found so necessar service for his majesties interest, that by an act, in a full councill, the thing was againe revived, and all the leidges invited to cite their preachers, and pronounsed deprivation if their libells were proven. Suited to this law of the meeting of the Estates, the council has still proceeded, and could not in common justice refuse to act where the law was positive, and things distinctly proven. Nor were wee of opinion that anything less then an act of parliament could minch, alter, or abrogat an act of the meeting of the estates, and were convinced that wee should not be quarrelled, in that we took not on us a dispensing power with any law made by a judicatory above us. Besides, we were sufficiently at a poynt, that it would have been ill service to the King, to protect those men who, as they were the first that hounded out any into rebellion, severalls of them by their example, and the most of them, by their doctrine, so by their influence, our differences have been chiefly kept up; and it seems strange that they, who do not acknowledge our King's right, should have such for patrons who pretend to the greatest loyaltie. If after all that hes been done, it be truth what the conformists do now openly boast of, that they shall be yet reponed to their former charges, I blush at the affront done to the meeting of the estates and council, and tremble at the consequences of it. The peoples affections to his Majestie will certainly grow colder, that some parties, which he countenances will yet jealous him. England will not thank for anything less than the restoration of the bishops, and the late King shall have fewer zealous opposers then he now hes. And to be ingenuous with your lordship, upon this whisper, I find a great murmuring among the people, an universall complaining, a general dejection in their countinances, and an insulting of Papists and such Protestants as are the late King's almost declared friends. For the Lord's sake advert to thir matters, and use such methods as may retaine the affections of the people, &c.

## XXI.

MINUTE of Presbyterian Ministers Commissioners Account of their  
Negotiation, and what was ordered thereupon.

Edinburgh, November 21, 1689.

The certainty of the address for restoring the Episcopal clergie is not only confirmed; but also its narrative reflecting on the privy council found to be false, and the subsumption and conclusion was conform, ordaining the privy council within six weeks after sight of the letter, to call before them all Episcopal clergie who are turned out of their churches, and upon assuring the privy council that they would pray for their Majestys, King William and Queen Mary, to restore them to their benefice and office. But at the same instant when this address was presented to have been signed by the King (without the Secretary's knowledge), the Secretary came in, and having confirmed his Majesty of the falseness of the narrative and subsumption of that address, and of the danger of its conclusion, the said address was rejected.

A meeting was here this afternoon by a committee of the Presbyterian ministers, with whom were put their three commissionat brethren, who reported their diligence in their negotiation conform to their instructions, and withal added that they had a letter in relation to this Church, which they desired might be cognosed upon by the reverend committee present, which being opened it was found to be written and subscribed by Melvill, secretary, the contents of which are,

" London, October 11.

*" Reverend and worthy Friends,*

" We received your address to his Majesty by your reverend and worthy brethren, whom we introduced to his Majesty, as also to the Queen, who were both well satisfied with their deportment and contents of their commission. As his Majesty in the first of his instructions to his Majesty's commissioner in the last parliament, had ordered that the Church in its government and discipline should be first settled, so I am commanded by his Majesty to assure you that he still continues of the same mind, notwithstanding of the obstructions it mett with then, and that his Majesty would not be diverted either by solicitations or informations, but will actually effectuat the same without any restriction or limitation whatsoever. This from your real and assured friend,

*(Sic subscribitur)*

" MELVILL."

Thereafter the commissioners were desired to make report of their negotiations, whereupon one of them spoke to this purpose:

" As we were timously and seasonably introduced to their Majestys, so we find the King and Queen well satisfied with the contents of our commission; and that which was a surprise to us was, that his Majesty thought it too hard that we, or those who joined with us, should bear the charge of our expenses, and therefor ordered some money to be given us for that purpose as an evidenc of his Majestys affection to the Church of Scotland."

Thereafter it was concluded that a return should be made to the Secretary and my Lord Portland, both which were contributive to their access and success. The committee was appointed to draw the letters for Melvill and Portland.

Then the three commissioners added that the papers were writ and ready to be signed by his Majesty, granting one year of the bishops stipends for relief of distressed ministers widows and children.

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## XXII.

Earl of CRAWFORD to Lord MELVILL.

5th December 1689.

My Lord,—I had your lordships by the flying paquet, and have obeyed in great measure what does relate to the publick. I am sorry the Presbyterian interest hes so feu friends, and so powerful enemies at court, and am convinced this nation is ruined if we have restrictions on that government, or the power promiscuously putt in the hands of ministers of both persuasions. The adjournment of the parliament has made a great clamour. I pray God we may gett the people settled and their affections kept up; for there is deccrnable heaviness in the faces of many warmly affected to his Majestys interest, and joy very legible in the countenances of enemies. May the issue of all be glory to God, happiness to our King, and a reall advantage to this nation. Your lordship will peruse the inclosed, which in the sincerity of my heart, I have concerted for our King's information in Church matters, and with a dew regard to his interest. If a mistake in point of fact be found in it, I am willing to forfault my credit with him. I plead your lordship may show it to him upon the same certification, which upon light grounds or uncertainties, I would not rashly paund. I entreat your lordship may practise with this paper as is desyred by, my dear lord, your lordship's most faithful and affectionat servant,

CRAFURD.

Edin., 5th Dec. 1689.

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## XXIII.

Earl of CRAWFORD to Lord MELVILL.

10th Dec. 1689.

My Lord,—By your lordships allowance, I had not till last post, from Mr Carstares, of the great opposition now at court to the Presbyterian interest. It is very burdensome to me to make repetitions of what I formerly represented, and shall only say, upon the whole, I have laboured in vaine. I have spent my strength for nought; yet surely my judgment is with the Lord, and my work with my God. If what I write anent the proceedour of our council with the Episcopall clergie were contradicted by a thousand hands, I am still ready to make it good, that in circumstances, it is truth, and [in] every syllable I communicat to your lordship first or last on that subject. I have one humble sute to his Majestie: if his purposes are to gratifie the importunity of such as press him to deal favours to the conform clergy in this nation, which I shall never believe of him untill I find it, being so perfectly cross to his interest and the expectations of him from all that are sincerely his friends, I may without offence be allowed to act Hagar's part when in the wilderness, and Ishmael in hazard of death, that I may remaine att some distance where I cannot see the death of that child,—a Presbyterian interest in whose life, in a manner mine is bound up, and that while there is another victim to make sacrifice of who are really haters of his person and concerns, it be not



sought of me to stretch out my hand to cutt the throat of my beloved Isaak, and bury that interest that I would gladly build. Hear, O our God, for wee are dispised; and turn their reproach upon their own head, and give them for a prey in the land of captivitie, and cover not their iniquitie, and lett not their sin be blotted out from before thee; for they have provoked thee to anger before the builders. I trust the wall shall be joyned together in spight of all opposition: for I am sure there is a godly pairtie in the land that hes a mind to work and wrestle with the Most High, that the cope stone be putt on with shouting. I leave the matter before the Lord, and am hopefull that the wrath of man shall praise him, that he hath not bared his right arme in vaine, but will yet save his people to the outmost. I will not farther trouble your lordship, but that I am without all complement, my dear lord,

Your lordships most faithful and affectionat  
humble servant,

CRAFURD.

Edin., 10th Dec. 1689.

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XXVI.

Earl of CRAWFORD to Lord MELVILL.

24th December 1689.

My Lord,—I had your lordship's of December 14, and most willingly do comply with your desire anent Mr Gordon for the collecting the customs of Aberdeen. As the printing of his Majesty's instructions to the Duke of Hamilton did at first relieve the people of many of the fears they were under, so the enemies of our interest, both of Church and State, are closely at work, representing to the weaker sort of people that his grace had cross instructions to those were publisht, which he dares not reveal. The design is malicious, and the effects are like to be sadd. The friends to the late King, they assert it that they may disparage his present Majesty. The Episcopal clergy, they boldly confirm it that they may discourage Presbyterians, and tempts the giddy sort of them to irregularities; yea, I wish there be not hands in it who pretend to the greatest zeal for the government. I practise what I can by myselfe amongst our ministers, and am employing agents everywhere to cure such of the people as are smitten, and to prevent the infection from spreading further. That which has procured any credit to this unlucky report, is the confident procedour, in many places of the countrey, of deprived ministers, who do pursue for their stipends, even for cropt 1689, and that before commissariot courts who cannot legally sitt upon a tittle from the abolished bishops, and have no warrant from his present Majestie. Besides, these courts, as they are now constitute, were found by the meeting of the estates to be a great grievance, and were appointed to be regulated. The council, from the beginning of these mischiefs, and the fatal issues they might have had if not speedily remedied, did, this evening, putt a stope during their pleasure, or untill the parliament sitting, to their decreets anent ministers' stipends. Another practice has been likewise very prevailing. Some sheriff and steward deputes are pursuing such who attend meeting-houses, for unwarrantable marriages and baptisms, under the late government, which all concluded had been out of doors. I have not seen the abolished bishops and deprived clergy so insolent, even when the government was in their hands. The first subscribe still by their designations,

continue to ordaine ministers singly, and give warrands for privat marriages, and the last all readily obey. They preach both of them avowedly against the government, and are no less plaine in their prayers for the late King. They are instigat by such of the Scotts clergy as are at London, who assure them that the English will stand and fall with them, so that whatever mistake be truly in the thing, they keep up the heart of their partie by forgeries unto the great discouragement of ours, which can scarcely be supported by all the representations are made by

My dear Lord,  
Your Lordships most faithful and  
affectionat humble servant.

CRAFURD.

Edinburgh, 21st Decem<sup>r</sup>ber 1689.

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#### DETAILS OF THE PROGRESS OF THE REVOLUTION.

HAVING, in the foregoing excerpts from the Leven and Melvill MSS., given a sketch of the progress of the Revolution, and of the views and feelings of the Presbyterian party then in the ascendant,—although these desultory extracts afford only glimpses of what was then passing in Scotland,—it is but fair to present some of the statements of the Episcopalians and adherents of the ousted government. These, indeed, are not now to be found in the same authentic form as the others,—but in such cases we must take the best evidence we can find,—it being always kept in remembrance, that the statements on both sides are *ex parte*, and would require a more rigorous examination, compared with vouchers, than we can at present bestow upon them.

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#### EXCERPTS from an Account of the Persecution of the Church in Scotland in several Letters. London, 1690.

When the certain accounts came of the Prince of Orange's resolutions to come into England, all our standing forces were called thither; so that this kingdom was left destitute of such means as were necessary to secure the peace, if any disturbance should happen to arise amongst us. When that Prince landed, King James (being deserted by his army, and soon after disowned by his subjects) was put upon the necessity of leaving Britain; and here in Scotland, his council very soon dissolved of its own accord, so that, in effect, the nation was,

in a manner, without government; by whose fault, I am not now to enquire.

Upon this his Majesty's sudden abdication, and voluntary dissolution of his council, our brethren found it seasonable for them to turn serious with us; but it was expedient to project how their game might be successful, before they began to play it; therefore a stratagem was contrived: a general massacre of Protestants was pretended, and alledged to be intended by the Papists; but how to be effectual, seeing their numbers were so very few, especially on the south side of the Forth, which was to be the chief scene of the tragedy? For that, this salvo was at hand: So many thousands of Irishmen were landed in Galloway, had already burnt the towns of Kirkcudbright all to ashes, and put all to the edge of the sword, young and old, male and female, only three or four persons (like Job's Nuneioes) had escaped; and these savages were posting hard, to be over the whole kingdom, &c.

This story flew at the rate of a miracle, for within twenty-four hours, or so, it was spread every where, through the greater half of the kingdom. No body doubts now, but people were appointed at several posts, to transmit it every where at that same time, for it run like lightning; and where-ever it went, it was so confidently asserted to be true, that he was forthwith a Papist, and upon the plot, who disbelieved it. At first we all wondred what it might mean, but it was not long before we learn'd, by the effects, what was the politiek; for immediately, in the western shires, (where the fiction was first propagated,) tumultuary rabbles knotted, and went about, searching for arms every body's house whom they suspected as disaffected to their interests. The pretext was, that the country might be in a posture of defence against the Irish, but the real purpose was, that all might be made naked who were inelunable to retard them in the prosecution of their designs upon the elergy: Especially, they were sure, no minister should have sword or pistol, (as, indeed, few had any,) or any other weapon that might be useful for his defence, if any attempt should be made on him. When they had thus made their preparations for the work, (and you would wonder to hear how speedily, and yet how dexterously it was done,) they fell frankly to it.

It was on Christmas day, (that day which once brought good tidings of great joy to all people,) that day which once was celebrated by the court of heaven itself, and whereon they sung "glory to God in the highest, on earth peace, good will towards men;" that day which the whole Christian Church, ever since, has solemnized, for the greatest mercy that ever was shewn to sinful mortals; that day, I say, it was, (to the eternal honour of all, especially Scotch Presbyterians,) on which they began the tragedy; for so were matters concerted amongst them, that upon that same very day, different parties started out of different places and fell upon the ministers.

Particularly, about five or six of the clock at night, Mr Gabriel Russel, minister at Govean, was assaulted by a number of fellows, (most of them, as I am told, his own parishioners, to whom he had sometimes done considerable kindnesses,) in his own house: They beat his wife, his daughter, and himself too, so inhumanely, that it had almost endangered his life; carried off the poor's box, and other utensils of the church; and threatened peremptorily, if he should ever offer, after that, to preach there, he might assure himself of more severe treatment.

That same night, about eleven of the clock, another party came to the dwelling house of Mr Finnie, minister at Cathcart; he was from



home himself. The season was not only then naturally cold, but a most vehement frost prevailed; yet (behold their humanity!) they thrust his wife, with four or five small children, out of doors about midnight, threw out all his furniture, and (till after more than half an hour's intreaty) would not suffer the poor gentlewoman, with her tender babes, to have lodging that night, so much as in the stable; nor a fire of her own walls, to keep the young ones from the severities of the weather. The weak, tender children (and no wonder, when exposed to such a rigour,) almost all sickened thereafter; but whether any of them died, I know not.

That same night Mr Buyd, minister at Carmunnock, his family was as rudely treated; and, in many other places, it was solemnized after the same manner. But I am not, at this time, to give you a particular inventory of all the incredible barbarities which were, either on that, or many subsequent days, committed; that would make this letter hugely swell beyond its primary design: For what work would it require, to present particularly.

How they took Mr Robert Bell, minister at Kilmarnock, from his chamber on a very frosty day; kept him four or five hours bare-headed, exposed to the cold; caused his own sexton to tear his gown in pieces from his shoulders; took the English Liturgy from his pocket, and burnt it with much ceremony in the market place; calling him Papist, and it the Mass-book in English, &c.

How they came upon Mr Simpson, minister at Gastown; took him out bare-headed also, caused the sexton carry his morning-gown to the most publick place of the village, (for he had put his canonical gowns and cassicks out of the way, and it was necessary a gown should be torn; that was an essential formality.) where they caused him to put it on, and then rent it in pieces. How thereafter they carried him to a river, forced him to wade through it at one of the deepest places; then turned his face northward, saying to him, "get you gone to your own country, and see, for your life, you never look southward or westward again."

How they carried Mr Miln, minister at Gawdir, his gown, being from home himself, in procession to the churchyard, made a long harangue concerning their zeal for God's glory, and the good old cause; after that, a long prayer, then rent the gown; and concluded the solemnity with a volley of shot, &c. Could there be greater dishonour done to Jesus Christ, and his holy religion?

How they smote Mr White, minister at Balingtre, on the face, with the butt end of a musquet, for speaking to them with his cap on, as they worded it, though it was in his own house; and the fellow that said and did so, was a mean pedler. How they thrust at his heart with a naked sword, so that both his cloaths and skin were pierced; though such was the good providence of God, what through the throng that was in the room, and what through the distance the miscreant stood at, who made the thrust, the wound was not dangerous. And how they beat his wife most rudely, though at that time she was so big with child that she had pass'd her reckoning.

How, in a mighty storm of frost and snow, they took Mr Brown, minister at Kells in Galloway, then residing at Newtoun; carried him to the mercat place about four of the clock in the morning, tied him to a cart, set his face to the weather, &c. In which posture he had certainly died, if a poor woman, whose heart, it seems, was made of softer metal, had not east some cloaths about him.

How they came on Mr Francis Ross, minister at Renfrew, and threw out his wife the third day after she was brought to bed, together with her tender infant.

How they treated Mr Guthrie, minister at Keir, in a stormy, rainy day, turning all his family and furniture out of doors, although three of his children were dangerously sick; one of a fever, the other two of the small pox; and how two of them died upon that treatment.

How, by their rudenesses to Mr Skinner, minister at Daly, they first frightened his daughter, a young gentlewoman, aged about twenty, into a fever; and then returning, after five or six days, while she was in the rage of it, how they turn'd her out of her bed, pretending to search for arms, though it was very well known the whole country over, the good man's genius never lay that way; and so disturbed her, that she died raving; amongst her last words, repeating these over and over, "Oh! these wicked men will murder my father."

How they contrived and carried on the tumults at Edinburgh and Glasgow: what letters were sent to some; what citations in the name of the rabble to others, commanding them to remove from their churches and manses, under the highest penalties. What work would it require, I say, to digest all these, and the like instances, fully and particularly? Perhaps the world may sometime see it done; but it is enough for my purpose, at present, to tell you, that these were their common methods; and by such means, in a very short time, more than two hundred were thrust from their churches and dwellings. Do not think I am imposing on you; what I have affirmed, can be so attested, that greater moral evidence can be had for nothing.

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**A JUST and TRUE ACCOUNT** how sadly the Regular Ministers within the Presbytery of Ayr have been Treated since Christmas last.

Upon Christmas day about ninety armed men forced the minister of Cumnock out of his chamber into the churchyard, where they discharged him to preach any more there under the highest peril; they took upon them to command him to remove from his manse, or dwelling house, and his gleib, and not to uplift his stipend thenceforth; after which they rent his gown in pieces over his head. They made a preface to their discourse to this purpose: that this they did not as statesmen, nor as churchmen, but by violence and in a military way of reformation.

In this manner, in the same place, and at the same time used they the minister of Authinleck, who dwelleth in Cumnock.

From Cumnock the foresaid day they marched to Machlin, and, missing the minister, were rude beyond expression to his wife, and finding the English Liturgy, burnt it as a superstitious and Popish book; thereafter they went to the churchyard, where they publickly discharged the minister from his office and interest there.

Upon the twenty-seventh of December the more considerable part of the foresaid number went to Galston, where they apprehended the minister, and, taking him out of his house into the churchyard, they rent his cloak, missing his gown, and thereafter forced him to wade upon and down through the water of Irwine for a considerable time in a severe frost.

Upon the said day they went to Rickarton: whence they brought the minister of the place to Torbolton; where they kept, for a whole

night, the ministers of these two parishes under a guard; and next morning brought them to the churchyard of Torbolton, where they rent the minister of Torboltons canonical coat, and put the one half of it about each of the ministers necks, commanding the church officer of the place to lead them thereby per vices as malefactors, discharging them from all exercise of the ministry, and from their houses, gleibs, and stipends, under the highest peril.

Upon the eleventh of January 1689, the first minister of Air received a written paper commanding him and all his brethren to leave their ministry against the fifteenth under the pain of death; and because he did not regard this, there came to his house, upon the fifteenth, about eight of the o'clock at night, eleven armed men of them, who commanded him, under pain of death, to preach no more in the church of Air till the Princes further order. And at the same rate did they treat his colleague that same night.

Much about the same time these armed men with their associates went throughout all the ministers houses within that presbytery, and discharged them any more to exercise their ministry, and appointed them to remove from their manses, or parsonage houses and gleibs, and discharged them to meddle with their stipends under the penalty aforesaid. So that now the most of the clergy through force and violence have left the countrey; none in it undertaking their protection; but all the rabble of it in arms against them. And to compleat their miseries those who are indebted to them refuse to pay even so much as may carry them to places of shelter; which exposeth them to the greatest hardships imaginable.

To obviate the impudent denial of these things the under subscribers are able and shall (if called) in due time produce sufficient proof of the whole, and that both by writing and witnesses. Given under our hands at Edensburgh upon the twenty and sixth day of January one thousand six hundred eighty-nine years.

— GREGORY, parson of Aire.  
WILL. IRWINE, minister at Kirk Michael.  
FRAN. FORDYCE, parson of Cumnock.

*Ampt*

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#### A BRIEF REPRESENTATION of the Sufferings of the regular Clergy within the Presbytery of Glasgow.

To omit the violences have been threatned them, the contempts have been cast upon them, and the innumerable discouragements they have generally been (*i. e.* happened to them) trysted with, from Papists on the one hand, (some of them having been in great hazard of being turned out of their places for preaching against the corruptions of Rome, as were easie to instance), and from Presbyterians on the other, these several years by-past, tho they had law on their side, and have still in their stations endeavoured to maintain truth, peace, and order.

Upon the great Revolution that has happened lately, (notwithstanding his Highness the Prince of Orange has declared his great undertaking to be for the securing religion, and establishing our laws and liberties,) the Dissenting brethren have wreckt their malice upon the regular clergy, and in the manner following.



On Christmas day, *anno* 1688, under cloud of night, about five and forty men in arms (all his neighbours, to the most part of whom he had done special acts of kindness,) came to Mr Gabriel Russel's house the minister of Govean; they beat himself, his wife and daughter, carried away all the utensils of the church, and the keys of the doors, discharging him to preach there any more under the highest perils.

The same night another party came to Mr Robert Tinnie's house, minister at Calchcart; not finding himself at home, they turned his wife, family, and furniture out of the (*i. e.* parsonage house) manse, and tho it was about eleven at night, with great difficulty they suffered the said Mrs Tinnie to stay in the stable all night with her small children; of which children three have since been at the point of death, through the fear and cold to which they then were exposed. The next Lords day the indulged preacher in that part, possessed himself of the pulpit; they were his own parishioners who treated Mr Tinnie so. The same night, and much after the same manner, Mr Robert Bayle, minister at Carnunnock, was treated.

On December 27, *anno* 1688, Mr Hugh Blair, minister at Rutherglen, had all his furniture turned out of his house, the keys and utensils of the church taken from him, &c.

About the same time Mr Gilbert Mushat, minister at Cumernald, was treated much after the same manner.

Much about the same time, a party came to Mr David Milne, minister at Calider, and had rifled his house but that they were interrupted.

But all this time the ministers in the city of Glasgow suffered nothing, only letters were sent to them to forbear the exercise of their ministry, and their houses were search'd for arms, &c., till Jan. 17, 1689, being Thursday, on which 'tis usual for them to have publick worship and sermon, a great multitude of people, for the most part women, came to church, with a design to have drag'd the minister out of the pulpit; but he (by the advice of some of his brethren who were there) forbearing to go into the church, and endeavouring to retire without noise, was fallen upon most barbarously, beaten, and had his gown and other cloaths torn in many pieces, altho he had been one of the ministers of the said city twenty-four years, and lived most Christianly and inoffensively.

The same day the same rabble went to the house of Mr Alexander George, minister of the Barony Church of Glasgow, broke his doors with great hammers; and notwithstanding he was at that time tyed to his bed by a very dangerous sickness, they thrust into his chamber, and had undoubtedly drag'd him from his bed, and perhaps murdered him, had not the provost of the city, with eight or ten men, come to his relief.

On the lords day thereafter, being the 20th of January, there was no sermon in any of the churches of the city. On the 22th, a copy of a letter was sent to each minister in the city, the tenour whereof followeth:—

“ We are credibly informed that our pretended Provost Walter Gibsone, and his malignant associates, are upon a design of having you restored to your churches, sometime this or the next week, but if you will take advice and prevent your own trouble and perils ruine, do not listen to their motion, for they are but laying a snare for you, without reflecting upon their own being taken in it themselves: Therefore consider what you are doing, and if you desire safety, forbear to attempt anything suggested upon that head, for assure your selves, that it will not be now the female rabble you have to engage with, but

must resolve in all time coming for such a guard as will be so sufficient and diligent, as to protect you, not only in the church (which even we doubt of), but also in your houses, and that both by night and by day ; if you take this warning you will both save your selves, and prevent the effusion of much blood, but if not, stand to your peril, which in all probability will be more formidable than that of Mr Milne. Let this be a sufficient warning to you from those who by this desire to exoner themselves."

We doubt not but there are other instances of the foresaid violence within our bounds before this time ; but because of our present dispersion we cannot give any more particular accounts only as to the instances above-named, we can make them fully appear when called to it : In testimony whereof we subscribe their presents at Edenburg, Jan. 26, 1689.

AL. GEORGE,  
Minister of the gospel at the Barony Church of Glasgow.

JOHN SAGE,  
One of the ministers in the City of Glasgow.

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A TRUE ACCOUNT of that Interruption that was made of the Service of God on Sunday last, being the Seventeenth of February 1689, at the Cathedral of Glasgow, by the Presbyterians, both from the Hills and the Meeting-houses, to the Contempt of the Princes Declaration.

As soon as his Highness the Prince of Orange's declaration was proclaimed at the Mercat-cross of Glasgow, for the preservation of the peace of the kingdom, and the maintenance of the free exercise of religion, as it was established in October last. The magistrates and ministers of the city assembled themselves, in order to the laying down such fit and united methods as would give punctual obedience to his Highness's declaration, and procure the publick and undisturbed exercise of their religion, which has now been interrupted these four or five weeks by-past, by the illegal unchristian outrages of the rabble in this place. And after a prudent deliberation about the present state of affairs, it was the result of their counsels that the service of God should be restored on the Sunday immediately subsequent to the publication of the Prince's declaration, being the 17th of February, according to the usual and legal method by ringing of bells, and the publick use of all other accustomed solemnities. But for the greater security of the exercise of religion, and the preservation of the peace of the town, the magistrates thought themselves obliged in conscience and honour, to go to Thomas Crawford, younger, merchant, being then captain of the guard at that time, and one of the chief commanders of that party in this place (that keep up themselves in contempt of the law of the kingdom, and the Prince's declaration, to the terror of the magistrates and all good and peaceable people in this place, and to require the said Thomas Crawford to lay down his arms and dismiss his company ; which accordingly was performed by Bailie James Gibson, he (being the chief magistrate in absence of the Provost) (*i. e.* Major) telling him at the same time, that he would provide for the peace and

security of the town in obedience to the Prince's declaration. Upon the absolute refusal of obedience unto this command by the said Thomas Crawford, Bailie Gibson took instruments in a publick nottars hands, how far he had his duty to the law of the kingdom and the Prince's declaration, and how far the said Thomas Crawford, the pretended captain of the guard, did despise and condemn them both. After this intercourse between the foresaid Bailie and Thomas Crawford, both those parties of the Presbyterians, that go to the hills and the meeting-houses, began to whisper about their illegal and bloody designs against the ministers of the town, and that great body of the people that keep still very stedfast in frequenting the assemblies of the church, threatning publickly all kinds of persecution unto them in the legal exercise of their religion. On the Sunday morning the promiscuous rabble gathered themselves together upon the streets, and hindered the ringing of some of the usual bells for calling the people to church. Yet the magistrates thought fit to connive at the first insolence, being willing upon any terms to have the exercise of their religion, and give obedience to the Prince's declaration. But the more moderation the magistrates shewed on this occasion, the more the rabble were enraged, publickly threatning the people as they went to church, to pull them out by the ears. And particularly, they seeing a certain minister going to church, they pursued him with sticks and clubs, but he taking a house escap'd their fury. When the magistrates were come near the church, they found it surrounded with a promiscuous rout : Upon this they desired the rude people to go home in peace, but they returned scolding and bloody language, and flinging from them their cloaks and plaides, that is mantles, they gave the assault with staves and battoons in their hands unto the magistrates ; and particularly one of them giving a severe blow to John Bell, one of the late bailies, and at this time in company with the magistrates. Upon which unsufferable and scandalous attack, the magistrates gave order to the towns servants and officers, to clear their way to the church, and beat off the rabble ; which being effected, the magistrates, together with all the people, entered peaceably into the church, seating themselves according to their ranks and qualities in the usual postures of devotion in which the service of God is performed in our church. After prayers were ended, towards the middle part of the sermon, the fore-mentioned Thomas Crawford, the pretended captain of the guard, came into the church, and cry'd aloud to the people, that the town was in arms. He was answered, that five or six hundred people of the best quality in town were assembled in church, to the service of God, according to law and the Prince's last declaration, that they were naked men without arms or the least intentions to make any resistance : and if the town was in arms, he was more concerned to look to it than they, he being the pretended captain of the guard. And likewise he was told, that if the people in church had designed any opposition to such as might disturb them in the exercise of their religion, they would have appeared in an armed posture (which out of a due respect to the house of God and the Prince's declaration they did forbear to do ; ) and then he should have found them too strong for any party that durst have assaulted them ; but they came not thither to fight, but to serve God. The parson continued preaching until he finished his sermon. Towards the latter end of the prayers after sermon, the meeting-houses being dismiss'd, and joyning the hill party that appeared by this time in arms upon the streets, and together with the company that was upon the guard, they formed themselves in a great body, and then marched off under the conduct of the laird of Carsland, taking their way straight to the cathedral church ; when they came to it, they fired both upon the people that had fled to the pinnacles and but-



tresses of the church, and through the door, where there was a little boy dangerously wounded on the face ; but at last they broke open the doors of the church, and searching diligently for the parson they found him : They were desired by the magistrates to dismiss the armed men and go in peace, but they refused it, telling, they would have out those people that beat off the women and the men from the church-door upon the first uproar. They were answered, that the disorders were begun by the rabble against the Prince's declaration ; and that the magistrates could not, without doing infinite injury to the service of God, the honour of the Prince, and the authority of government, forbear commanding the officers and towns servants to beat off the rabble that opposed their entry into the church. And to this it was subjoyned, that if they would lay down their arms, or go home in peace, and forbear the encouraging and protecting of the rabble in those uproars, they could return in the same peaceable way from the church that they came into it. But this they absolutely refused to do, telling us, they could not desert their sisters the women, that by this time were assembled in great numbers upon the streets and in the churchyard. After this they took up the names of the people of the best quality in church, and then they hurried us out by fives and sixes at several doors of the cathedral, and so exposed us to the fury of the rabble, which we had escap'd if they had permitted us to go out in a body. Others of us they pretended to conduct by guards, but carried us no further than into the very middle of the rabble. The whole congregation being thus maliciously dissipated, very few of them did escape without wounds or blows ; and particularly the Lord Boyd was rudely treated, and had his sword taken from him. Sir John Bell had above a hundred snow-balls thrown at him. The Laird of Borrowfield and his lady, together with his two brothers, James and William Walkinshawes, were five or six several times beaten to the ground. James Corbett was very dangerously wounded in the head with the stroke of a syth. George Graham, one of the late bailies of the town, was decply cut on the head in two places. Doctor Wright and his lady, and together with them her mother and sisters, and several other women, were very roughly handled and beaten. Mrs Anna Paterson daughter to the archbishop of the place, Mrs Margaret Fleiming, and several other gentlewomen were cruelly pinch'd after their cloaths were torn off them. There was scores of others severely beaten and bruised, which would be tedious to make mention of here, but only this we must observe, there was a certain carpenter, who was so dangerously wounded (so that he lyeth now beyond hopes of recovery) by four armed men that promised to conduct him through the rabble, and to whose protection he innocently committed himself. This is a true account of what pass'd upon Sunday last, being the 17th of February 1689, which I, as magistrate of Glasgow, in absence of my Lord Provost, give under my hand as truth.

JAMES GIBSONE.

For the further testification of the premises, we under subscribers attest the same,

JO. GILLHAGIE.

PATRICK BELL.

A LIST of the Episcopal Ministers deprived by the Committee of Estates, in May 1689, as follows.

- May 2. Mr James Wauch, minister of Leith; deprived for not reading the proclamation enjoined by the states, April 11, 1689, and not obeying the same.
- May 3.89. Mr John Somervail, minister at Cramond, }  
 May 6.89. Mr Arthur Miller, minister at Innerask, }  
 May 8.89. Mr George Barekly, minister at Mordington, }  
 May 8.89. Mr Alex. Irwin, minister at Innerkeithing, }  
 Mr And. Auchenfleck, minister at Newbottle, }  
 Mr David Lammie, minister at Carrington, } the like.  
 May 10.89. Mr George Hendry, minister at Corstorphin, }  
 Mr Rob. Ramsey, minister at Prestonpans, }  
 May 11.89. Dr Rich. Waddel, archdean of S. Andrews, }  
 Mr John Wood, minister at S. Andrews, }  
 Mr Robert Wright, minister at Culross, }  
 Mr Allen Young, minister there, }
- May 14.89. Mr Alexander Hamilton, minister at Stenton; deprived for not reading the proclamation, nor praying for the King and Queen; and for expressions reflecting upon the honour of K. William and the states.  
 Mr Alexander Cumming, minister at Liberton, deprived for not reading the proclamation, and not praying for K. William and Q. Mary.
- May 16.89. Mr John Malters, minister at Seres, }  
 May 17.89. Mr Scrimger, minister at Currio, } the like.  
 Mr John Tailor, minister at Drone, }

Turned out afterwards by the Council, &c.

August 9, 1689.

1. Mr John Lumsden, minister at Lauder; for not reading the proclamation of the states, and not praying for their Majesties, and for praying for the late King; and that God would give him the necks of his enemies, and hearts of his subjects. To prove which, depositions of the witnesses were adduced; and he acknowledged at the bar, that he had not read the proclamation, and had only prayed for King and Queen in general terms. Deprived of his benefice, his church declared vacant; and he was ordained to remove from his benefice at Martinmas.

August 15, 1689.

2. Mr Patrick Trant, minister at Linlithgow; for not reading and not praying; and for praying for the late King, and that God would restore the banished; being moreover not only scandalous to all well-affected persons, but a very great encourager to the disaffected. Absent, and holden as confest. Whereby certification was granted against him, and he deprived in manner aforesaid.

3. Mr Robert Stewart, minister at Balwithier; cited to answer several things that may be laid to his charge, conform to the information given in to the council board: Absent. Whereupon certification was granted against him, and he was ordained to be denounced; and in the mean time deprived of his benefice, and discharged from preaching, or exercising any other part of the ministerial function within that parish.

4. Mr John Barclay, minister at Faulkland; for not reading, and for praying for the late King. Present; and acknowledged that he had

not read, nor prayed for their Majesties. Deprived, and discharged from preaching in that parish.

5. Mr David Murray, minister at Blackford; for not reading and not praying, and not obeying the thanksgiving, and for hindering the reading the proclamation for a collection for the French and Irish Protestants. Present; and acknowledged that he did not read nor pray, nor keep the thanksgiving, nor read the proclamation. Deprived.

August 16, 1689.

6. Mr David Guilo, minister of the West Kirk; as being imposed on the paroch by the bishop; and for his acting as a spy, and otherwise as an intelligencer to the Castle of Edinburgh, then besieged; exposing himself to the most dangerous places, without fear; giving signs, and occasioning great shooting; calling persons well-affected, whores and rogues; wearing pistols under his coat: And was one of the principal informers against Sir Patriek Nisbet of Dean, who, for his frivolous words against him, was fined in L.500 sterling in the late government. It was sufficiently proven that he ealled one of his parishioners a damned whore: And he acknowledged that he married persons, and baptized children in the West Kirk, several times since the order of council, discharging him to preach at that place. Finds that the marrying and baptizing of persons, being a part of the ministerial function, that he has contravened the order of council, and there fore was deprived, *utsupra*.

August 22, 1689.

7. Mr Patrick Midletoun, minister at Leslie; for not reading and not praying for their Majesties, and praying for the late King. Present; and acknowledged his not reading, and not praying for their Majesties. Deprived.

8. Mr Samuel Nimmo, minister at Collingtoun; for not reading and not praying; and for praying for the late King. Witnesses aduced for proving his being constantly hindered by force; and proving accordingly. Acquitted.

August 23, 1689.

9. Mr Robert Gordoun, minister at Abercorn; for not reading, and not praying; and praying for the late King. Present; and acknowledged his not reading and not praying. Whereupon he was deprived: And upon his desiring that the libel might be proven, he was, because of his disingenuity, committed to prison during pleasure.

10. Mr Alexander Burnet, minister of the Canongate; for not reading and not praying, and praying for the late King; and not observing the thanksgiving, and the collection for the French and Irish Protestants. To prove which, depositions of the witnesses were aduced, and he acknowledged he did not read the said proclamation, by reason he preached that day for the Dean by order, and did not read. So that it was found proven, that he has not read the proclamation, nor never prayed for their Majesties, except one Sabbath; and was deprived.

August 29, 1689.

11. Mr John Auchinfleck, minister at Largo; for not reading and not praying, and praying for the late King. Present; acknowledges the not reading and not praying. Deprived.

12. Mr David Barclay, minister at Stramiglo; for not reading and



not praying, and praying for the late King. Present; acknowledges the not reading and not praying. Deprived.

13. Mr William Galbreith, minister at Jedburgh; for not reading and not praying, and praying for the late King. Present; and acknowledged. Deprived.

14. Mr John Bareklay, minister at Kettle; for not reading and not praying; and not only praying for the late King, but also that God would confound all his enemies; and that he hoped to see the late King in his throne; and for his running always out of the church when his reader read the public papers mentioned in the libel. Present; and acknowledged his not reading and not praying. Deprived.

15. Mr John Melvill, minister at Enes; for not reading and not praying. Present; and acknowledged. Deprived.

16. Mr Andrew Darling, minister at Stithell; for not reading and not praying, and for not observing the thanksgiving, and not reading the proclamation for the collection. Present; and acknowledged the not reading and not praying. Deprived.

17. Mr Thomas Somervail, minister at Cavers; for not reading and not praying, and for praying for the late King. Present; and acknowledged the not praying and reading. Deprived.

18. Mr Francis Scott, minister at Hassenden; for not reading and praying for the late King. Present; acknowledged, *ut supra*. Deprived.

19. Mr John Hepburn, minister at Ersletown; for not reading and praying, and for other scandalous misdemeanors libelled. Present; acknowledged his not reading and not praying. Deprived.

20. Mr James Strachan, minister at Fagan; for not reading and not praying. Present; acknowledges that he prayed not, *expressis terminis*, for their Majesties; and that the proclamation was offered him when he was saying the blessing, and that he did not, nor has not yet read the same. Deprived.

21. Mr James Adamson, minister at Bederule; for not reading and not praying, and for praying for the late King. Present; acknowledges the not reading and praying. Deprived.

22. Mr Andrew Guild, minister at Northberwick; for not reading and not praying, and for praying for the late King. Present, and alledges that the proclamation came not to his hands in due time; but that upon hearing hereof he did immediately pray for their Majesties, and observed the thanksgiving; and being removed and called in, declared, that he had then scruples, and was not yet free to read the proclamation. Deprived.

23. Mr William Hay, minister at Lintoun; for not reading and not praying; and for praying for the late King, and drinking his health. Absent; holden as confest. Certification granted against him, and he was deprived.

24, 25. Mr Henry Pittcairne, minister at Logie, and Mr David Balfour, his helper; for not reading and not praying, and praying for the late King: Mr Henry Pittcairne absent, and holden as confest; and Mr David present, who acknowledged the not reading and not praying. Certification granted against Mr Henry, and he deprived; and Mr David discharged from preaching, or exercising any part of the ministerial function within that parish.

August 29, 1689.

26. Mr John Cockburne, minister at Ormistown; for not reading and not praying; and for praying for the late King's restoration, and

confusion of his enemies. Present; acknowledged the not reading and praying. Deprived.

27. Mr Alexander Kerr, minister at Easter-Weems; for not reading and not praying, and for praying for the late King. Present; and acknowledged it. Deprived.

28, 29. Mr Alexander Lundie and Mr William Wilson, ministers in Coupar of Fife; for not reading and for not praying, and for praying for the late King; and not observing the day of thanksgiving, and for not reading the proclamation for the collection. Present; acknowledged, *ut supra*. Both deprived.

30. Mr Robert Norie, minister at Dundee; for not reading and praying. Present; and acknowledged. Deprived.

31. Mr Andrew Nauchly, minister at Stou; for not reading and not praying, and for praying for the late King. Present; and acknowledged that he knew the proclamation was in the reader's hands the Sabbath morning, and that he did not then nor yet read the same, nor prayed in the terms thereof. Deprived.

32. Mr James Dempster, minister at Auchtermuchty; for not reading and not praying; and for praying for the late King's restauration, and confusion to his enemies; and for not observing the thanksgiving, and not reading the proclamation for the collection. Present; and acknowledged his not reading and not praying. Deprived.

33. Mr Thomas Macbean, minister at Gordoun; for not reading and not praying, and for praying for the late King. Present; and acknowledged, *ut supra*. Deprived.

34. Mr Henry Christie, minister at Kinross; for not reading and not praying; and praying for the late King's restauration, and confusion to his enemies; for not observing the thanksgiving, nor reading the proclamation for the collection. Present; and acknowledged not reading nor praying. Deprived.

35. Mr Charles Macinarn, alias Mac-Fingue, minister at Erwall; for not reading, and for the other things immediately above. Present; acknowledged, *ut supra*. Deprived.

36. Mr John Cameron, minister at Kincardin; for not reading and not praying, and employing one who prayed for the late King James; and for not observing the thanksgiving, and for not reading the proclamation for the collection; and for bringing down the rebels to rob his parishioners: And he said, if God would not give him amends (*i. e.* revenge) of them, he would make the Devil do it. Present; and acknowledged the not reading and praying. Deprived.

37. Mr William Layng, minister at Ligertwood; for his not reading and not praying, and for praying for the late King. Present; and acknowledged, *ut supra*. Deprived.

38. Mr Androu Dou, minister at Crighton; for not reading and not praying, and for praying for the late King; not observing the thanksgiving nor the collection for the French and Irish Protestants. Present; acknowledged the not reading and praying. Deprived.

39. Mr Lewis Gourdon, minister at Kirkaldie; for not reading and not praying. Present; and acknowledged. Deprived.

40. Mr George Scheils, minister at Prestonhaugh; for not reading and not praying, and for praying for the late King, and not observing the thanksgiving. Absent; holden as confest. Certification against him granted, and he deprived.

September 3, 1689.

41. Mr James Ross, minister at Mintzie; for not reading and not praying. Present; and acknowledged. Deprived.

42. Mr Patrick Walker, minister at Langton; for not reading nor praying, and praying for the late King. Present; and acknowledged his not reading or praying. Deprived.

43, 44. Mr Adam Berekly and Mr David Anderson, ministers at Perth; for not reading and not praying, and praying for the late King, and for not observing the day of thanksgiving. Both present; and acknowledged their not reading and praying. Deprived.

45. Mr George Berekly, minister at Sprouston; for not reading and not praying, and for praying for the late King. Present; and acknowledged, *ut supra*. Deprived.

46. Mr John Cook, minister at Eeeles; for not reading and not praying, and absenting himself the day appointed. Present; and acknowledged. Deprived.

47. Mr James Wright, minister at Alloway; for not reading and not praying, as the proclamation was tendered him to be read in the church the same day. Present; and acknowledged, *ut supra*. Deprived.

48. Mr William Speed, minister at Ednem; for not reading and not praying, and for praying for the late King. Present; and acknowledged, *ut supra*. Deprived.

49. Mr Robert Calder, minister at Nenthorn; for not reading and not praying, and for praying for the late King. Present; and acknowledged, *ut supra*. Deprived.

50. Mr William Bullo, minister at Stobo; for not reading and not praying, and for praying for the late King; and as a person imposed upon the paroch by the Bishop, who would give him no entry at the church, until he went in at the window; and he had no hearers these two years; and as being a scandalous person. Present; and acknowledged his not reading and not praying. Deprived.

51. Mr John Chisholme, minister at Lisly; for not reading and not praying, and praying for the late King; and not observing the thanksgiving and collection. Present; and acknowledged his not reading and not praying. Deprived.

52. Mr James Adamson, minister at Simprin; for not reading and not praying, and for praying for the late King. Present; and acknowledged, *ut supra*. Deprived.

53. Mr William Gray, minister at Dunee; for not reading and praying, and not observing the thanksgiving-day. Absent; holden as confest. Certification, and deprived.

54. Mr James Gray, minister at Kelso; for not reading and not praying, and praying for the late King. Absent; holden as confest. Certification, and deprived.

55. Mr John Blair, minister at Scoon; for not reading and not praying, and praying for the late King; and for saying, that the defeat of his Majesties forces at Gilliechrankie was the best news in the world: And upon the death of the Viseount of Dundee, that the greatest bulwark for the Protestant religion, and against Popery, was gone. Present; and denying the last two, and declaring that he had prayed for their Majesties King William and Queen Mary; and that he made search for the proclamation, but got it not in due time; and albeit he were deprived, he would still pray for their Majesties. Acquitted; and ordained to read the proclamation the next Sabbath.



56. Mr John Ogilvie, minister at Collace; for not reading and not praying. Present; and acknowledged. Deprived.

September 4, 1689.

57. Mr Paul Gelly, minister Avith; for his not reading and not praying, and for his treasonable inveying against the government, and praying for the restauration of the late King, exhorting his hearers to pray so in private; and for saying, that then he expected a blessed reformation, and that they had only gotten wicked tyranny and ungodly rulers to govern them; and that the people had no security of life or fortune. The defender present, probation aduced. Finds the libel proven, and therefore deprives the defender.

58. Mr John Monro, minister at Sterling; for not reading and not praying, and praying for the late King. Present; and declared that he had still prayed for their Majesties, since the proclamation of estates, which came not to his hands in due time, and that he had made search for the same, and had no scruple to read. Acquitted.

59, 60. Mr James Griffin, minister at Dunfermling, and Mr Simon Couper, minister there; for not reading and not praying, and for saying, that when the news came of the defeat of Gilliechrankie, that no less could come of them for rebelling against their lawful King. The defenders present; probation aduced by witnesses. Finds not the libel against Mr Simon proven; and in regard that Mr Griffin declared, that the proclamation came not to his hand, and that he had no scruple to read it, both were acquitted.

61. Mr Thomas Marshall, minister at Carnock; for not reading and praying, and praying for the late King, and hoped to see him in his throne before Lammas. Present; and acknowledged the not reading and praying for their Majesties. Deprived.

62. Mr David Fairbairne, minister at Duinning; for not reading and not praying, and not observing the day of thanksgiving, nor suffering any collection to be made for the French and Irish Protestants. Present; and acknowledged, *ut supra*. Deprived.

63. Mr John Langlanes, minister at Hawick; for not reading and praying, and for praying for the late King. Present; and acknowledged his not reading and praying. Deprived.

64. Mr William Milles, minister at Flisk; for not reading and praying, nor observing the day of thanksgiving, and suffering his servants to labour thereon. Present; and acknowledged his not reading and praying. Deprived.

65. Mr Will. Arnot, minister at Abdie; for not reading, and praying for the late King, that God would restore him to his throne; and for not observing the days appointed the thanksgiving, and the collection. Present; and acknowledged, *ut supra*. Deprived.

66. Mr William Grant, minister at Newburgh; for his not reading and praying, and praying for the late King, and not observing the day of thanksgiving. Present; and acknowledged his not reading and praying. Deprived.

67. Mr James Seaton, minister at Creuch; for not reading and praying, and praying for the late King; and for not observing the day of thanksgiving, suffering his servants to work that day, and impeding the contribution for the French and Irish Protestants. Present; acknowledged, *ut supra*. Deprived.

68. Mr Thomas Paterson, minister at Borthwick; for his not reading, and praying for the late King. Present; acknowledged his not praying and not reading. Deprived.

69. Mr Robert Bannerman, minister at Newton; for not reading and praying. Present; and acknowledged. Deprived.

70. Mr Matth. Erwing, minister at Houdran; for not praying and reading, and praying for the late King. Present; and acknowledged his not reading and praying. Deprived.

71. Mr Alexander Grant, minister at Farce; for not reading and praying. Present; and acknowledged. Deprived.

72. Mr Walter Stirling, minister at Badenoch; for his not reading and praying. Present; and acknowledged. Deprived.

73. Mr John Wenzel, minister at Dennio; for his not reading and praying, and praying for the late King and Queen, and for their restauration, and shame and confusion to their dethroners. Present; acknowledged his not reading and praying. Deprived.

74. Mr Robert Arthburnet, minister at Cranston; for his not reading and not praying. Present; and acknowledging. Deprived: And in respect he was ordered to be denounced, for resetting in his house John Hay, after he was in the rebels army, was ordained to be carried to prison.

75. Mr Andrew Florber, minister at Cameron; for his not reading and not praying, and praying for the late King James. Present; and acknowledged his not reading and praying. Deprived.

76. Mr William Nesmith, minister at Eickfoord; for his not reading and not praying and praying for the late King's restauration, and destruction to his enemies, and that God would take the usurper out of the way. Present; and acknowledging, *ut supra*. Deprived.

77. Mr Alexand. Williamson, minister at Tilliallan; for not reading and not praying, nor observing the day of thanksgiving. Present; and acknowledging, *ut supra*. Deprived.

78. Mr Thomas Rutherfoord, minister at Sudar; for his not reading and not praying. Present; and acknowledging the same. Deprived.

79. Mr James Arthburnet, minister at Dysert; for his not reading and not praying, and for praying for the late King. Present; acknowledging his not reading nor praying. Deprived.

80. Mr George Patersone, minister at Dersie; for his not reading and not praying, and for discharging the presenter to say, God save King William and Queen Mary, when he was ending the reading the proclamation concerning the baggage horses, and forbidding him to read it till he was out of the kirk. Present; acknowledging his not reading nor praying. Deprived.

81. Mr James Weems, minister at St Leonards; for his not reading and not praying, and praying for the late King. Present; and acknowledges his not reading and praying. Deprived.

82. Mr Alex. Auchenleck, minister at Dunlogo; for his not reading and not praying, and praying for the late King's happy restauration, and confusion of his enemies; and for not observing the thanksgiving nor contribution. Absent; holden as confest. Certification granted against him, and he deprived.

83. Mr Alex. Sutherland, minister at Larbor and Dunipace; for his not reading and not praying, and joining the rebels. Absent; helden as confest. Certification. Deprived.

84. Mr Robert Glasford, minister at Auchterderron; for his not reading and not praying, and praying in a disdainful manner for King William and Queen Mary, as those whom the states had set over us for King and Queen. Present; declared the proclamation came not to his hands; and if he had got the same by a private hand, he would have read it without scruple; and that he had prayed for King William and Queen Mary; albeit not in the same terms at first, yet

thereafter he prayed for them in the terms of the proclamation. Acquitted.

September 8, 1689.

85. Mr George Chalmers, minister at Kenoway; for not reading and praying, and saying to some of the Presbyterian perswasion, that there were three papers lying in the Parliament-House, which was like to cause the members of parliament to sheath their swords in one anothers sides. Present; acknowledging his not reading the proclamation; and being allowed till to-morrow to advise if he would read the same, and being again called, declared, he had not the freedom to read the same. Deprived.

86. Mr John Falconer, minister at Carnbee; for his not reading and praying. Absent; holden as confest. Certification granted against him, and he deprived.

87. Mr Alex. Douglas, minister at Coldingham; for his not reading and praying. Present; and acknowledging the same. Deprived.

88. Mr Thomas Auchenleek, minister at Anstruther-Wester; for his not reading, and praying for the late King. Present; acknowledging his not reading nor praying. Deprived.

89. Mr John Berkley, minister at Coekburnspath; for not reading and praying. Present; and acknowledging the same. Deprived.

90. Mr John Lydell, minister at Opkirk; for his not reading the proclamation and praying for their Majesties; and saying, that he would never pray for them as long as his blood was warm. Present; and acknowledging his not reading and praying. Deprived.

91. Mr John Berkley, minister at Edean; for his not reading, and praying for the late King. Present; and acknowledging his not reading and praying. Deprived.

92. Mr Alex. Wilson, minister at Elie; for his not reading and praying. Present; acknowledged, *ut supra*. Deprived.

93. Mr David Baine, minister at Kinglasse; for his not reading and praying, and not reading the proclamation, albeit the same was tendered to him in the church. Present; declared that the proclamation came not to his hands; but that he did still, and would continue to pray in the terms thereof, albeit deprived. Acquitted.

94. Mr Andrew Bruce, minister at Pittenwyme; for his not reading and praying. Present; and declared that he had still prayed for their Majesties from the beginning; and that he had intimate from his pulpit the tenour of the said proclamation, after he had seen the same. Acquitted.

September 10, 1689.

95. Mr John Lamie, minister at Eccloisgrage; for his not reading and praying, and praying for the late King, and keeping correspondence with the V. of Dundee, and sending private persons to acquaint the rebels of Sir John Laniers being on his march to attaque them. Present; acknowledging his not reading and praying. Deprived.

96. Mr Archibald Buchan, minister at Spoll; for not reading and praying, and for employing disaffected persons who were deprived, to preach for him, who prayed for the late King. Present; and acknowledged the not reading and praying. Deprived.

97. Mr Richard Scott, minister at Askirk; for his not reading and praying. Present; and acknowledged the same. Deprived.



98. Mr Henry Knox, minister at Bouden; for not reading and praying, and for saying, that he had rather the Papist should gain the day, than the Presbyterians. Present; and acknowledged the same. Deprived.

99. Mr James Luntie, minister at Chirnsyde; for not reading and praying. Present; and acknowledged the same. Deprived.

100. Mr James Gordoun, minister at Rosneath; for not reading and praying. Absent; holden as confest. Certification, and deprived.

101. Mr Alex. Ramsay, minister at the Old Church of Edinburgh; for not reading and praying; and for praying expresly for the late King and bishops, after they were abolished by act of parliament. The libel found proven by the depositions of the witnesses. And he was deprived.

102. Mr John Midletoun, minister at Markinch; for not reading and praying, and for praying for the late King. Found the libel not proven by the depositions of the witnesses adueed. And he was acquitted.

103. Mr John Park, minister at Caiden; for not reading and praying; for baptizing the children of scandalous persons, without demanding satisfaction therefore; and praying, that the walls of the Castle might be as brass about D. Gordon. Finds the libel not proven by the depositions of witnesses adueed. And he was acquitted.

#### September 12, 1689.

Mr John Gordon, minister at Aberladie; for his not reading and praying. Absent; holden as confest. Certification, and deprived.

104. Mr John Beatoun, minister at Aytone; for not reading and praying; and for praying for the late King, and not observing the thanksgiving. Present; acknowledged his not reading and praying. Deprived.

105. Mr David Stirling, minister at Heymouth; for his not reading and praying, and not observing the thanksgiving. Present; acknowledged, *ut supra*. Deprived.

106. Mr James Gladstains, minister at Yettam; for not reading and praying; and praying for the late King, and not observing the thanksgiving. The libels found proven by the witnesses adueed. Deprived.

107. Mr Alex. Hay, minister at Kineucher; for not reading and praying; and praying for the late King, and reflecting upon the estates. Proven by witnesses. He was deprived.

108. Mr William Thomson, minister at Burroustonnesse; for not reading and praying, and not observing the thanksgiving. Absent holden as confest. Certification, and deprived.

#### September 17, 1689.

109. Mr Alex. Leslie, minister at Craill; for not reading and praying. Present; and acknowledged his not reading and praying. Deprived.

110. Mr Andrew Hardie, minister at Forgondennie; for not reading and praying. Present; and acknowledged, *ut supra*. Deprived.

111. Mr David Spence, minister at Kireurd; for not reading and praying, and not observing the thanksgiving, and for not intimating the proclamation for the French and Irish Protestants; and declared publickly, it was as lawful to go and hear mass, as to hear a

sermon in a meeting-house. Present; and acknowledged, *ut supra*. Deprived.

112. Mr William Methven, minister at Fogo; for not reading and praying. Present; and acknowledging. Deprived.

113. Mr John Home, minister at Greenlaw; for not reading and praying, nor observing the thanksgiving. Present; acknowledged, *ut supra*. Deprived.

114. Mr John Balnaves, minister at Dunbarny; for not reading and praying. Present; and acknowledging. Deprived.

115. Mr John Stewart, minister at Waltoun; for not reading and praying. Present; acknowledging. Deprived.

116. Mr William Gairns, minister in the Tolbooth of Edinburgh; for not reading and praying, and absenting himself the day of the reading the proclamation; and prayed only, God have mercy upon King William and Queen Mary, and the royal family; and for not reading the proclamation concerning the fast, which he contemptuously threw down when offered to him. Present; and acknowledging his not reading the proclamation of the estates, nor the proclamation for the fast. Deprived.

117. Mr George Maitland, minister at Moffit; for not reading and praying. Absent; holden as confest. Certification, and deprived.

118. Mr James Chalmers, minister at Kilpatrick-Fleming; for not reading and praying. Absent; holden as confest. Sentence, *ut supra*.

119. Mr Robert Junkin, minister at Abernethie; libel, *ut supra*. Absent, *ut supra*. Sentence, *ut supra*.

120. Mr John Macquhorn, minister at Dallmelington; for not reading and praying, and absenting himself from his church for two years, without any violence. Absent; holden, *ut supra*. Sentence, *ut supra*.

121. Mr John Wilkie, minister at Lintoun in Tivedale; for not reading and praying. Absent; holden as confest. Sentence, *ut supra*.

122. Mr George Macgrather, minister at Collace; for not reading and praying, and for praying for the late King's happy restauration to the throne, and confusion of his enemies. Present; and acknowledging his not reading nor praying. Deprived.

123. Mr Thomas Strachan, minister at St Martins; for not reading nor praying, nor observing the thanksgiving, and a proclamation for a voluntary contribution to the French and Irish Protestants; and for praying for the late King and his happy restauration, and confusion of his enemies. Present; declared he only read the proclamation, and prayed for their Majesties King William and Queen Mary, Sunday last after the citation. Deprived.

124. Dr James Kinnaries, minister at Selkirk; for not reading and praying, and praying for the late King, that God would restore him to his wonted privileges; and for keeping correspondence with Papists, and not observing the fast. Witnesses aduced; the libel not found proven, and he was acquitted.

125. Mr William Alisone, minister at Kilbucko; for not reading and praying, and praying for the late King's restauration. Witnesses aduced, and the libel not found proven. Acquitted.

126. Mr James Murray, minister at Yarron; for not reading and praying, and for delating such of his parochiners to the circuit, as withdrew from his preachings in 1684. Witnesses aduced, found that he had obeyed the proclamation. Acquitted.

September 19, 1689.

127. Mr John Smith, minister at Comrie; for not reading and praying, and for praying for the late King's restauration; and for saying, that our rulers are as Sodom, and judges as Gomorrah. Present; and acknowledging his not reading and praying. Deprived.

128. Mr William Murray, minister at Craft; for his not reading and not praying, and for praying for the late King's restauration; and for causing to be read on the Sunday after the defeat of his Majesties forces at Gilliechrankie, these notes in the 118th psalm, "This is the day God made, in it we will joy triumphantly." Present; and acknowledging his not reading and praying. Deprived.

129. Mr David Young, minister at Monivaird; for his not reading nor praying, and praying for the late King; and not observing the thanksgiving nor proclamation for the collection. Present; acknowledges that he did not read nor pray in the terms of the proclamation till the Sabbath after the citation was given him. Deprived.

130. Mr David Hedderweick, minister at Camebre; for not reading nor praying, and for entertaining of skulking persons, and for saying, in a deriding manner, that the surrender of the Castle of Edinburgh made a great noise. Absent; holden as confest. Certification. Deprived.

131. Mr Alexander Arthburnet, minister at Arthburnet; for not reading the proclamation of the estates, nor praying in the terms thereof, nor observing the fast, nor proclamation for the contribution. Absent; holden as confest. Sentenced, *ut supra*.

132. Mr Alexander Foulis, minister at Enderwick; for not reading nor praying, nor observing the fast. Present; and acknowledging his not reading the proclamation, but prayed for their Majesties, though not in due time. Deprived.

133. Mr James Adamson, minister at Etrick; for his not reading and praying, and praying for the late King's restauration; and for not observing the fast, but suffering his servants to work that day; and harbouring disaffected persons. Depositions of the witnesses aduced, the libel found not proven. Acquitted.

September 26, 1689.

134. Mr Thomas Blair, minister at Lendall; for not praying nor reading, nor observing the thanksgiving, nor the proclamation for the voluntary contribution. Present; and acknowledging his not reading nor praying. Deprived.

135. Mr David Drummond, minister at Killmaddock; for his not reading and praying, nor observing the fast; and for keeping company with disaffected persons. Present; acknowledged, *ut supra*. Deprived.

136. Mr Alexander Burnet, minister at St Ninians; for his not reading nor praying, and for praying for the late King and pretended Prince of Wales. Absent; holden as confest. Certification, and deprived.

137. Mr Gideon Brown, minister at Smelholme; for not reading and praying, and absenting himself from his church the time appointed for the reading the proclamation of estates. Present; and acknowledged his not reading and praying. Deprived.

138. Mr John Keir, minister at Roxburgh; for not reading the proclamation at the end, but only a part thereof, and mincing the same; and for not praying for their Majesties, and for praying for the



late King, that God would confound his enemies. The libel not proven by the witnesses aduced. Acquitted.

139. Mr Robert Rule, minister at Dundee; for not reading nor praying, nor observing the day of thanksgiving, nor observing the proclamation for a voluntary contribution to the French and Irish Protestants. Present; and acknowledged his not reading and praying. Deprived.

October 10, 1689.

140. Mr William Mac-Lethny, minister at Bouill; for not reading and praying, and for saying, that seeing he had taken an oath to King James, he would not obey King William's authority; and encouraging people to disown the authority of their present Majesties. Absent; holden as confest. Certifications granted against him, and he deprived.

141. Mr John Lawson, minister at Elith; for his not reading the proclamation of the estates, nor praying in the terms thereof. Present; and acknowledged the same. Deprived.

142. Mr Alexander Balnaves, minister at Kinloch; for not reading and praying, *ut supra*, nor obeying the thanksgiving or fast. Present; and acknowledged his not reading nor praying. Deprived.

143. Mr Charles Ross; minister at Cralen; for not reading nor praying, nor observing the fast. Present; acknowledged, *ut supra*. Deprived.

144. Mr Gilbert Blair, minister at Blair; for his not reading nor praying in the terms of the proclamation of the estates, nor observing the fast. Present; and acknowledged, *ut supra*. Deprived.

145. Mr John Blair, minister at Fintrey; for not reading nor praying, and refusing to do the same, and saying, let the Whigs pray for King William and Queen Mary, for he would not, for he never got good by them: And for saying, that he would not pray for them, till she got her father's blessing; and God keep him from having such a daughter. Absent; holden as confest. Deprived.

146. Mr John Keir, minister at Cults; for not reading nor praying, nor observing the thanksgiving nor collection. Present; and acknowledged his not reading nor praying. Deprived.

147. Mr David Rankin, minister at Ratry; for not reading the proclamation of the estates, and praying in the terms thereof; and for not observing the day of thanksgiving. Present; and acknowledged, *ut supra*. Deprived.

October 3, 1689.

148. Mr Robert Young, minister at Kippen; for not reading and not praying, and for many evidences of his dissatisfaction to the government, and for his being otherwise scandalous, and for certain expressions uttered by him. Present; denies the proclamation came to his hands the 21th of April, and that he was constantly since molested; and that he never preached since, except once in his own house, and then he knew of the proclamation, and did not read nor pray in the terms thereof. Deprived.

149. Mr Patrick Bell, minister at Port; for not reading nor praying, nor observing the thanksgiving. Absent; holden as confest. Certification, and deprived.

150. Mr James Menzies, minister at Calender; for not reading and not praying. Deprived.

151. Mr John Edmnigestown, minister at Gorgounoch; for not reading and praying, and throwing from him the proclamation of the estates when delivered to him to read; and being a person violently thrust in on the paroch without consent; and for his immoderate drinking, and other scandalous praetiees. Depositions of the witnesses adueed, found the libel sufficiently proven. Deprived.

152. Mr Alexander Mae-Knizir, minister at Neutyll; for his not reading nor praying, nor observing the fast. Depositions of the witnesses adueed; finds the libel not proven. Acquitted.

October 8, 1689.

153. Mr Patriek Straehan, minister at Maxtown; for not reading and not praying, Present; and acknowledged. Deprived.

154. Mr William Easton, minister at Auchtergaven; for not reading, and praying that the Lord would exalt King James's horns above his enemies, and that they and their designs might be confounded. Present; and acknowledged his not reading and not praying. Deprived.

155. Mr Thomas Foulter, minister at Kinail; for not reading nor praying, and for praying for the late King's restauration, and for thanking God for the Viscount of Dundee's victory against Maj.-Gen. Mackay at Gilleehrankie, and thereupon drinking the late King and Viscount of Dundee's health. Present; acknowledged, *ut supra*. Deprived.

156. Mr John Murray, minister at Seoon; for not reading and praying, and for praying for the late King's restauration; and sitting down on his knees, and blessing the Viscount of Dundee in his undertaking for the late King, and for sending his brother with the late Viscount; and for saying to him, "God's curse and my curse befall you, if you leave the Viscount until you return victorious." Present; and acknowledged his not reading nor praying. Deprived.

October 10, 1689.

157. Mr William Law, minister at Forres; for not reading nor praying, nor observing the proclamation for the contribution. Present; and acknowledged, *ut supra*. Deprived.

158. Mr John Drummond, minister at Mintzie; for his not reading nor praying, and for praying for the late King, and being otherwise scandalous in his life. Present; and acknowledged, *ut supra*. Deprived.

159. Mr William Falconer, minster at Dyek; for not reading nor praying. Present; and answered, that Dundee was at the place on the day appointed for reading, with a great number of men and arms at Forres, and staid there two days before, and a day after, and threatening all the ministers of the presbytery convened at that time, if they should read the same; and that there was no other day appointed for the reading thereof; and that he was content to make faith, that he had expresly prayed for their Majesties; and that he was of opinion that such a government of the Chureh, which conduces very much to piety and suppression of vice, hath the approbation of God Almighty, and so is *jure divino*; and that Presbyterian government with moderation and unity may conduce to the aforesaid ends as much as any other government in the Church of this nation. In regard that M. G. Mackay was in the neighbourhood, and as near the time appointed for reading the proclamation of the estates, and

during his continuance there, the defendent persisted in his disobeying, he was deprived.

160. Mr William Hay, late Bishop of Murray, as parson of Elgin; for not reading nor praying, nor observing the proclamation concerning the thanksgiving, contribution, and fast. Absent; holden as confest. Certifications, and deprived.

161. Mr Archibald Gud, minister at Elgin. Libel, *ut supra*. Present: acknowledged not reading nor praying. Deprived.

162. Mr James Cook, minister at Langbude. Libel, *ut supra*. Present; and acknowledged, *ut supra*. Deprived.

163. Mr John Drummond, minister at Foules; for not reading and praying, and praying for the late King, and keeping converse with rebels. Present; acknowledged, *ut supra*. Deprived, and ordered to be committed to prison, and the bond granted to Keiller to produce him, ordered to be given to him the said Lord of Keiller.

#### October 16, 1639.

164. Mr James Craig, minister at Kilren; for not reading and praying, and saying, that this Prince, King William, had procured great trouble in his time; and wishing he were drowned in the Mickle Pot of Great-Nesse, which is the deepest place in the Murry-Water; and for calling King William a cypher'd King; and for several other opprobrious speeches. Witnesses aduced. The libel not found proven, and he acquitted.

#### October 18, 1639.

165. Mr James Forsythe, minister at St Ninians; for not reading and praying, nor observing the thanksgiving, and reflecting against the proceedings of the estates. Depositions of witnesses aduced. Libel not proven, and he acquitted.

166. Mr James Aird, minister at Toryburne; for not reading and praying, and praying for the late King, our natural Prince, that God would comfort him in the day of his distress; and praying that God would send back that tyrant (meaning King William, who had come to invade these lands) with a hook in his jaws. Depositions of witnesses aduced. The libel found proven, and he deprived.

#### October 22, 1639.

167. Mr John Hamilton, late Bishop of Dunkeld, as minister at Miglo, and Mr John Gresm his helper; both for not reading the proclamation, nor praying in the terms thereof; and the said Mr John, for praying for the late King's restauration, and that God would give him the necks of his enemies; and for harbouring the Visc. of Dundee. Mr John Hamilton absent, holden as confest; and Mr Gresm present, and acknowledging he read not the said proclamation, nor prayed in terms thereof. Certification granted against Mr John Hamilton; and both deprived.

#### October 29, 1639.

168. Mr Alex. Lindsay, minister at Cortachie; for not reading and not praying, and praying for the late King, and not observing the thanksgiving; and several other things libelled against him, as evideneing his dissatisfaction to the present Government, and keeping correspondence with the rebels. Present; and acknowledged his not reading nor praying. Deprived.

169. Mr John Nicolson, minister at Erroll; for not reading and praying, and for employing deprived ministers to preach for him the



day of the fast, and for praying in general for the King and Queen, and that God would enlighten the King's eyes, and that no arms prosper against him, meaning the late King. Present; and acknowledged, *ut supra*. Deprived.

November 7, 1689.

170. Mr John Ross, minister at Dornoch; for not reading the proclamation of the estates, nor praying in the terms thereof. Present; and the complainant being cited, and having produced no witnesses; and the defender producing a certificate, that the proclamation was not sent to the sheriff-deputy of the shire of Sutherland, or the clerk of the foresaid shire under their hands; and declaring that he had no scruple to read the same; and that he had prayed for their Majesties, King William and Queen Mary. Acquitted.

171. Mr James Fran, minister at Keith; for not reading and praying, and praying for the late King's restauration to the throne. Absent; holden as confest. Certification, and deprived.

172. Mr Arthur Strachan, minister at Morthick; for not reading and praying for the late King's restauration to the throne; and for his conversing with rebels, and for pressing some of his parishioners to go into open rebellion under the Lord Dunfermling. Present; and acknowledging his not reading nor praying. Deprived.

173. Mr John Henderson, minister at Deskoord; for his not reading nor praying, and praying for the late King's restauration to the throne. Present; and acknowledged his not reading nor praying. Deprived.

174. Mr John Hay, minister at Ruthven. Libelled, *ut supra*. Present; and acknowledged, *ut supra*. Deprived.

175. Mr Patrick Chalmer, minister at Boyndee; for not reading and praying, and praying for the late King's restauration; and for his praying against, and speaking evil of, the present government, and praying for K. William and Q. Mary scoffingly, saying, as they call them; and for expressing, that seeing the convention had voted out K. James, he hoped they would vote out the belief of the Trinity also. And for calling the members of parliament a pack of devils and rebels: and that the convention had only issued out the proclamation for the contribution, on purpose to disgrace King James; and that they were runnagadoes and rascals who came from Ireland, and pretended persecution, oppression, and force, when they had never lain under any, and therefore would not intimate the proclamation: And for saying, that all are for King William, should renounce the name of Protestants, and take that of rebels. And for his ordinary conversing with Papists, drinking drunk; and being otherwise scandalous in his life and conversation. Present; and acknowledged his not reading and praying. Deprived.

176. Mr John Innes, minister at Gamrie; for not reading the proclamation, and praying in the terms thereof; and for praying for the late King's restauration to the throne. Present; and declaring, as soon he had notice of the proclamation of the estates, he prayed for their Majesties, King William and Queen Mary: And that the proclamation not coming to his hands in due time, sometime thereafter he read the same, having got it from a neighbouring minister. Acquitted.

177. Mr Alex. Ker, minister at Grange; for not reading and praying, and praying for the late King's restauration to the throne. There being a certificate produced, under the hands of two physicians, upon soul and conscience, that he was not able to travel: and another

declaration under the hands of his parishioners, that he had given obedience, he was acquitted.

178. Mr John Dempster, minister at Larg; for not reading and praying, and praying for the late King. Absent. Deprived.

179. Mr Simon Grant, minister at Duthie; for not reading and praying. Acknowledges. Deprived.

180. Mr Colme Nicolson, minister at Kirkmichael; for not reading and praying. Absent. Deprived.

181. Mr John Stewart, minister at Cromdale; for not reading and praying. Present; and acknowledges. Deprived.

182. Mr James Grant, minister at Abernethie; for not reading and praying. Present; and acknowledges. Deprived.

183. Mr Walter Rose, minister at Rogart; for not reading and praying, and praying for the late King. Never called in question. Continued till the first Thursday of January, and never called.

184. Mr Hugh Rose, minister at Creigh; for not reading and praying, and praying for the late King. Never called in question. Continued, *ut supra*, and never called.

1690.

## INTRODUCTION.

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THE foregoing pages contain evidence sufficiently ample of the events of the revolution in 1688-9; and the several public documents which we have collected, evince the nature of the change which had taken place, not merely of the sovereigns, but in the policy by which they were respectively governed; while those of a more private nature, disclose pretty plainly the under current by which the tide of revolution was strongly impelled in its progress. The acts of the estates, and public declarations of the Prince of Orange, of the Presbyterian clergy, and of others, exhibit the broad and general grounds on which the revolution was effected and justified; but it is only in the veiled communications of the several parties, that we can discover the true motives of the actors in that interesting drama,—combining, in their general texture, the usual admixture of high principle and of selfish passions. In one class of our ancestors at that time, we often find traces of high and chivalrous loyalty to the expatriated monarch, blended with selfish and sinister purposes, and a devotedness to arbitrary principles. In the other, we perceive manifestations of reverence for religion and liberty, disfigured by moroseness of spirit, vindictiveness, and a grovelling fanaticism in favour of Presbyterian Church government, amounting to superstition. In the miscellaneous correspondence with Lord Melvill, we find numberless proofs of sordid cupidity and selfishness, even among the most prominent leaders of the movement, which dispel entirely any semblance of romance with which their revolutionary achievements may have been invested in the imaginings of more modern times: and altogether, the events of the years



dulging in any reflections, we now present, in juxtaposition, the legislative enactments of parliament, and the proceedings of the Church as thus re-edified and sanctioned during the course of the year 1690.

Before, however, inserting the acts of parliament to which we have referred, it seems expedient, in order to preserve chronological order, that we subjoin the following documents of an authoritative character, which were antecedent, in point of time, to any of the acts by which the Church was re-established. These are the instructions by King William to the Earl of Melvill, commissioner to the parliament of 1690,—his Majesty's letter to the same nobleman, and remarks upon the draft of the act of parliament, which was proposed for establishing Presbytery. These documents are of importance, as illustrative of the spirit, as well as the letter, of the statutes subsequently enacted; and they are instructive as evincing the wise, just, and tolerant character of the government by which Presbytery was restored. They form a part of the Melvill Collection, and their authenticity may be fully relied on.

## HISTORICAL DOCUMENTS.

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### I.

PRIVATE INSTRUCTIONS from King William to the Earl of Melvill,  
Commissioner to the Parliament.

(Superscribed) WILLIAM R.

1. You are to press an act anent the election of cōmittees of parliament, allowing them to choose either a grand cōmittee, or lesser cōmittees for particular business, or both, as they shall desire; which cōmittees, consisting of equall numbers chosen out of every estate by itselfe, shall continue for what time shall be thought fit, some of our officers of state being alwayes present in all these cōmitties.

2. You are to touch the act already voted anent the rescinding the first act of parliament, 1669.

3. You are to touch an act already voted for restoring Presbyterian ministers to their churches.

4. You are to pass an act for abolishing patronages, if the parliamt. shall desire the same.

5. You are to pass one or more, as the parliament shall agree to, for settling of Church government, conform to the former instruction given thereanent.

6. You are to propose to the parliament that they grant a supply which may be suitable for maintaining the ffoces, and supporting the government, with respect to the present danger that the countrey is exposed to, both from forreign invasion, and intestine commotions.

7. That you propose to the parliament, that they make enquiry what is truly due to the countrey, either by the standing ffoces, or others who, upon a public account, have taken quarters from the countrey, that the accompts being adjusted, the balance may be paid.

8. That you propose to the parliament, that they take into their consideration the losses sustained by heretors and others, that live next adjacent to the rebell's estates, or otherwayes as shall be condescended upon.

9. You are to propose to the parliament, that they take into their consideration the business of trade and cōmerce, and that they adjust the differences betwixt the burghs royall, and other burghs, that there be an act past redressing the grievances of royall burghs.

10. You are to pass an act for regulating the nomination and appointment of the lords of session in time coming, that in case of a partiall vacancy, the lords to be named by us and our successors, shall be admitted by the rest of the lords, conform to the former acts of parliament and daily custome; and in case of a totall vacation, the parliament shall give in a list of persons, all qualified by law, out of whom wee and our successors shall choose fifteen to be the ordinary lords of session, who, having accepted and taken the oath of

allegiance and de fideli, shall have power to choose one of themselves to be constant president, in absence of a chancellor, at least to continue for one session.

11. You are to observe all the instructions given the last session of parliament, except in so far as they are innovated or altered.

Given under our royal hand and signet, at our court at Kensington, the 25th day of February 1689-90, and of our reigne the first year.

(Subscribed)

W. R.

## II.

LETTER of the King to the Earl of Melvill, transmitting the King's Remarks on the Church Government.

WILLIAM R.

Right trusty and right entirely beloved cosin and counsellour, wee greet you well. Wee having considered the act anent Church government, have returned the same, and the alterations wee have thought proper should be made in it. However, wee leave you some latitude, which wee wish you may use with as much caution as you can, and in the way will tend most for our service.

Given under our royall hand at our court att Kinsington, the 22d of May 1690, and of our reign the second year.

W. R.

## III.

HIS MATIE'S. Remarques upon the Act for settling Church Government in Scotland, which, together with some Reasons designed for the clearing of it, and Answering those Objections that might be made against it, was sent to Him by my Lord Commissioner.

WILLIAM R.

1st, Whereas it is said that the Church of Scotland was reformed from Poperie by *Presbyters without Prelacy*, his Maty. thinks that tho this matter of fact may be true, which he doth not contradict, yett it being denyed by some who discourse much of a power that superintendants had in the beginning of the reformation, which was like to that which bishops afterwards had, it were better it were otherwise expressed.

2d, Whereas it is said that their Maties. doe ratify the Presbyteriall Church government *to be the only government of Christ Church in this kingdom*: his Maty. desires it may be expressed thus,—to be the government of the Church in that kingdom established by law.

3d, Whereas it is said that the government is to be exercised by sound Presbyterians, and such as for hereafter shall be owned by Presbyterian Church judicatories, *as such*; his Maty. thinks that the rule is too generall, depending as to its application upon the opinions of particular men; and therefore he desires that what is said to be the meaning of the rule in the reasons sent to him, may be expressed



in the act,—viz., that such as shall subscribe to the Confession of Faith and Catechismes, and are willing to submit to the government of the Church, as established by law, being sober in their lives, sound in their doctrine, and qualified with gifts for the ministry, shall be admitted to the government, and his Maty. doth judge that the following declaration might be a good test.

I. A. B. do sincerely declare, and promise, that I will own and submit to the present government of the Church, as it is now by law established in this kingdom, and that I will heartily concur with and under it for the suppressing of sin and wickednesse, the promoting of piety, and the purging of the Church of all erroneous and scandalous ministers; and I doe alsoe assent and consent to the Confession of Faith and the Larger and Shorter Catechismes, now confirmed by act of parliament, as the standard of the Protestant religion in this kingdom.

4th, Whereas it is desired to be enacted, that the generall meeting of the ministers doe appoint visitors for purging the Church, etc. his Maty. thinks fitt that, for answering even those objections, which the reasons sent to him with the act doe suggest may made against this method, that what in the mentioned reasons is expressed by a *may be*, as to the concern of his privy councill in that matter, and the presenting of the visitors to the commissioner, that he may see they are moderate men, be planly and particularly enacted.

5th, As to what concerns the meeting of synods and generall assemblyes, his Maty. is willing that it should be enacted, that they meet at such and such times of the year, and as often as shall be judged necessary, provided always that they apply to him or his privy councill to know if there be any inconveniency as to publick affairs in their meeting at such times, and have his allowance accordingly; and that in all their generall assemblies, a commissioner in the name of his Maty. be there present, to the end that nothing may be proposed but what merely concerns the Church; and in case any thing relating to the civill government, or that is prejudiciall to it, should be there proposed or debated, the said commissioner may give a stop to it till he has acquainted the privy councill, and received their direction in it.

6th, Whereas it is desired to be enacted, that the parishes of those thrust out by the people in the beginning of this revolution be declared vacant upon this reason, *because they were put upon congregations without their consent*, his Ma. desires it may be so expressed, as may be consistent with the right of patrons, which he thinks he hath the more reason to desire, because in the reasons sent up with the act, it seems to be acknowledged that this procedure is extraordinary and not to be drawn into consequence.

7th, The King thinks fitt, that the clause from line 30 to 54 be absolutely left out as unnecessary, being merely narrative, and the act concerning supremacy being now repealed.

His Matie's. resolution to be candid and above board in what he does; and his desire, that what is now granted by him to the Church may not be uneasie to him afterwards, do incline him to have the above mentioned amendments in the act.

It is his Maties. desire, that such as are of the Episcopall persuasion in Scotland have the same indulgence that Dissenters have in England, provided they give security to live peaceably under the government, and take the oath of allegiance.

W. R.

## IV.

LETTER, Earl of PORTLAND to LORD MELVILL.

[Translated from the original in French.]

Kensington, ce 15-25 May, '90.

Sir,—I congratulate you with all my heart on the good success of the political as well as the military affairs of the King in your hands, and that you will carry with you the satisfaction of having been the instrument which has served in so good a work.

I do not doubt that some day or other your difficulties will diminish, and as a necessary consequence your work will diminish also; for we think no more of the trouble when we see our enterprise succeed.

I have seen, with much pleasure, the list of the committees that Mr Cairstairs has shown me. I do not doubt, Sir, that the change of counsel, that you have desired, will act with a little more ardour than the former for the support of the government, and will inspire a little more respect in the minds of the evil-intentioned. May it please God that you may be able to adjust the establishment of the government of the Church, without raising it so high that it will sink by its own weight, but that it may be able to subsist with the monarchy, and that it may not give cause for jealousy to the English Church here, and by that may not do wrong to the Presbyterians of this kingdom.

And now, Sir, touching military affairs, it would be to your advantage to give as little time as possible to the Highlanders to reconnoitre, in hastening, as much as possible, the expedition of an Anderloch. I am sorry that Mr Mackay does not better satisfy the people of your country; however, he is very faithful to the King, and he understands war better than any one you have there. One reason why he should be there is, we can trust him certainly, and assist him as much as possible, and as the scarcity of money will permit you. You must not expect any from this at present, as you will have learned by this time. Those who have wished to confuse matters have not been able to succeed. Mr Carstairs has shown a letter which speaks of a plot: it will be necessary to examine the thing to the bottom as much as possible. His Majesty sends for this effect the desired pardons.

I pray you always to calculate on my sincere  
friendship, and to be persuaded that I am, Sir,  
your very humble very obedient servant,

PORTLAND.

## LEGISLATIVE ENACTMENTS.

**LAWS and ACTS** made in the Second Session of the First **PARLIAMENT** of our High and Dread Sovereigns, **WILLIAM** and **MARY**, by the Grace of God, King and Queen of **SCOTLAND**, **ENGLAND**, **FRANCE**, and **IRELAND**, Defenders of the Faith. Holden at Edinburgh the 25th day of April 1690.

### I.

**ACT** rescinding the First Act of the Second Parliament 1669.

April 25, 1690.

Our Sovereign Lord and Lady, the King and Queens Majesties, taking into their consideration that by the second article of the grievances presented to their Majesties, by the estates of this kingdom, it is declared, that the first act of the second parliament of King Charles the Second, entituled, Act asserting his Majesties supremacy over all persons, and in all causes ecclesiastical, is inconsistent with the establishment of the Church government now desired, and ought to be abrogat. Therefore their Majesties, with advice and consent of the estates of parliament, do hereby abrogat, rescind, and annull the foresaid act; and declares the same in the whole heads, articles, and clauses thereof, to be of no force or effect in all time coming.

### II.

**ACT** restoring the Presbyterian Ministers who were thrust from their Churches since the first day of January 1661. April 25, 1690.

Forasmuch, as by an act of this present parliament, relative to, and in prosecution of, the claim of right, Prelacy, and the superiority of the Church officers above Presbyters, is abolished: And that many ministers of the Presbyterian perswasion, since the first of January one thousand six hundred sixty-one have been deprived of their churches, or banished for not conforming to Prelacy, and not complying with the courses of the time. Therefore their Majesties, with advice and consent of the estates of parliament, ordain and appoint that all these Presbyterian ministers yet alive, who were thrust from their charges since the first day of January one thousand six hundred sixty-one, or banished for not conforming to Prelacy, and not complying with the courses of the time, have furthwith free access to their churches, that they may presently exercise the Ministry in these paroches without any new call thereto; and allows them to bruike and enjoy the benefices and stipends thereunto belonging, and that for the whole crop one thousand six hundred eighty-nine, and immediately to enter to the churches and manses, where the churches are vacant, and where they are not vacant, then their entry thereto is declared to be the half of the benefice and stipend, due and payable at Michaelmas last for the half year immediately preceeding, betwixt Whitsunday and Michaelmass, declaring that the present incumbent shall have right to the other half of the stipend and benefice payable for the Whitsunday last by-past: And to the effect, that these ministers may meet with no stop or hinderance, in entering imme-



diately to their charges, the present incumbents in such churches, are hereby appointed upon intimation hereof, to desist from their Ministry, in these paroches, and to remove themselves from the manses and gleibs thereunto belonging, betwixt and Whitsunday next to come, that the Presbyterian ministers formerly put out, many enter peaceably thereto. And appoints the privy council to see this act put to execution.

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V.

Act ratifying the Confession of Faith, and settling Presbyterian Church Government. June 7, 1690.

Our Sovereign Lord and Lady, the King and Queens Majesties, and three estates of parliament, conceiving it to be their bound duty, after the great deliverance that God hath lately wrought for this Church and kingdom, in the first place to settle and secure therein, the true Protestant religion, according to the truth of God's Word, as it hath of a long time been professed within this land; as also, the government of Christ's Church within this nation, agreeable to the Word of God, and most conducive to the advancement of true piety and godliness, and the establishing of peace and tranquillity within this realm; and that by an article of the claim of right it is declared, that Prelacy, and the superiority of any office in the Church above Presbyters, is, and hath been a great and insupportable grievance and trouble to this nation, and contrary to the inclination of the generality of the people ever since the Reformation, they having reformed from Popery by Presbyters, and therefore ought to be abolished. Likeas, by an act of the last session of this parliament, Prelacy is abolished; Therefore their Majesties, with advice and consent of the saids three estates, do hereby revive, ratifie, and perpetually confirm, all laws, statutes, and acts of parliament made against Popery and Papists, and for the maintainance and preservation of the true reformed Protestant religion, and for the true Church of Christ within this kingdom, in so far as they confirm the same, or are made in favours thereof. Likeas, they by these presents, ratifie and establish the Confession of Faith, now read in their presence, and voted and approved by them, as the publick and avowed Confession of this Church, containing the sum and substance of the doctrine of the reformed churches; (which Confession of Faith is subjoyned to this present act.) As also they do establish, ratifie and confirm the Presbyterian Church government and discipline: That is to say, the government of the Church by kirk-sessions, presbyteries, provincial synods, and general assemblies, ratified and established by the 114 act, Ja. 6, parl. 12, anno 1592, entituled, ratification of the liberty of the true kirk, &c., and thereafter received by the general consent of this nation to be the only government of Christ's Church within this kingdom: Reviving, renewing, and confirming the foresaid act of parliament in the whole heads thereof, except that part of it relating to patronages, which is hereafter to be taken into consideration: and rescinding, annulling, and making void the acts of parliament following, viz.,—Act anent restitution of bishops, Ja. 6, parl. 18, cap. 2. Act ratifying the acts of assembly, 1610. Ja. 6, parl. 21, cap. 1. Act anent the election of archbishops and bishops. Ja. 6, parl. 22, cap. 1. Act entituled, ratification of the five articles of the General Assembly, at Perth, Ja. 6., parl. 23, Cap. 1. Act entituled, for the restitution, and re-establishment of

the ancient government of the Church, by archbishops and bishops, ch. 2, parl. 1, sess. 2. Act. 1, anent the constitution of a national synod, ch. 2, parl. 1, sess. 3. Act 5, Act against such as refuse to depone against delinquents, ch. 2, parl. 2, sess. 2. Act 2. Act entitled, act acknowledging and asserting the right of succession to the imperial crown of Scotland, ch. 2, parl. 3. Act. 2. Act entitled, act anent religion and the test, ch. 2, parl. 3, act 6, with all other acts, laws, statutes, ordinances, and proclamations, and that in so far allanerly as the saids acts and others generally and particularly above-mentioned, are contrary, or prejudicial to, inconsistent with, or derogatory from, the Protestant religion, and Presbyterian government now established; and allowing and declaring, that the Church government, be established in the hands of and exercised by these Presbyterian ministers, who were outed since the first of January 1661. for nonconformity to Prelacy, or not complying with the courses of the times, and are now restored by the late act of parliament, and such ministers and elders only as they have admitted or received, or shall hereafter admit or receive: And also that all the said Presbyterian ministers have, and shall have right to the maintenance, rights, and other privileges, by law provided to the ministers of Christs Church within this kingdom, as they are, or shall be legally admitted to particular churches. Likeas, in pursuance of the premisses, their Majesties do hereby appoint the first meeting of the general assembly of this Church, as above established, to be at Edinburgh, the third Thursday of October next to come, in this instant year 1690: and because many conform ministers either have deserted, or were removed from preaching in their churches preceeding the 13th day of April 1689; and others were deprived for not giving obedience to the act of the estates made in the said 13 of April 1689, entitled, Proclamation against the owning of the late King James, and appointing publick prayers for King William and Queen Mary: Therefore their Majesties, with advice and consent foresaid, do hereby declare all the churches, either deserted, or from which the conform ministers were removed, or deprived, as said is, to be vacant, and that the Presbyterian ministers exercising their ministry within any of these paroches, (or where the last incumbent is dead) by the desire or consent of the paroch, shall continue their possession, and have right to the benefices and stipends, according to their entry in the year 1689, and in time coming, ay and while the Church as now established, take further course therewith. And to the effect the disorders that have happened in this Church may be redressed, Their Majesties, with advice and consent foresaid, do hereby allow the general meeting, and representatives of the foresaid Presbyterian ministers and elders, in whose hands the exercise of the Church government is established, either by themselves, or by such ministers and elders as shall be appointed and authorized visitors by them, according to the custom and practice of Presbyterian government throughout the whole kingdom, and several parts thereof, to try and purge out all insufficient, negligent, scandalous, and erroneous ministers, by due course of ecclesiastical process, and censures; and likewise for redressing all other Church disorders. And further, it is hereby provided, that whatsoever minister being convened before the said general meeting, and representatives of the Presbyterian ministers and elders, or the visitors to be appointed by them, shall either prove contumacious in not appearing or be found guilty, and shall be therefore censured, whether by suspension or deposition, they shall *ipso facto* be suspended from, or deprived of, their stipends and benefices.



## XVII.

## Act for Visitation of Universities, Colledges, and Schools.

July 4, 1690.

Our Sovereign Lord and Lady, the King and Queens Majesties, and the three estates of parliament, considering how necessary it is for the advancement of religion and learning, and for the good of the Church, and peace of the kingdom, that the universities, colledges, and schools, be provided, and served with pious, able, and qualified professors, principals, regents, masters, and others, bearing office therein, well affected to their Majesties, and the established government of Church and State: Therefore their Majesties, with advice of the saids thre estates of parliament, do statute, ordain, and enact, that from this time furth, no professors, principals, regents, masters, or others, bearing office in any university, colledge, or school, within this kingdom, be either admitted, or allowed to continue in the exercise of their saids functions, but such as do acknowledge and profess, and shall subscribe to the Confession of Faith, ratified and approven by this present parliament: And also swear and subscribe the oath of alledgeance to their Majesties; and withal shall be found to be of a pious, loyal, and peaceable conversation, and of good and sufficient literature and abilities for their respective imployment: and submitting to the government of the Church, now settled by law. And albeit it be their Majesties undoubted right and prerogative, to name visitors, and cause visit the foresaids universities, colledges, and schools, yet at this time their Majesties are pleased to nominat and appoint, with advice and consent foresaid, the persons under named,—viz., the Duke of Hamilton, Earl of Argyle, Earl Craford, Earl Marishal, Earl Morton, Earl Cassils, Earl Lothian, Earl Kintore, Viscount of Arbutnot, Viscount of Stair, Lord Raith, Lord Elphingstoun, Lord Cardoss, Lord Carmichael, Lord Ruthven. Master of Burghly, Master of Stair, Lord Advocat, Sir George Campbel, justice-clerk, the Master of Forbes, Mr Alexander Swinton of Mersingtoun, Mr David Home of Crosrig, Mr John Hamilton of Haleraig, Senators of the Colledge of Justice, Sir Patrick Home of Polwart, Sir John Maxwell of Pollock, Sir Thomas Burnet of Lies, Sir Robert Sinclair of Stevinson, Sir George Monro of Culren, Mr Francis Montgomery of Giffins, Mr James Melvill of Halhill, Brodie of that ilk, Grant of that ilk, Dumbar of Grange, Mr Robert Lernont of Balcomy, Peter Hay of Naughtoun, elder, Cunninghame of Craigens, John Dempster of Pitliver, Drummond of Meggins, George Moncrieff of Ready, elder, Sir John Hall of Dunglass, Sir William Hamilton, Alexander Spittle of Leuchat, John Anderson of Dowhill, Mr James Smallat, Mr James Rymer, minister, Mr William Tullidaff, Mr Gabriel Cunninghame, Mr Edward Jameson, Mr Alexander Pitcairn, Mr Hugh Anderson, Mr Gilbert Ruel, Mr Hugh Kennedy, Mr John Law, Mr James Kirkton, Mr David Blair, Mr George Campbel, Mr George Meldrum, Mr Alexander Forbes, Mr William Vilant, Mr William Mitchel, Mr Robert Willie, Mr James Mcgil, Mr Henry Rymer, and Mr John Oliphant, to be visitors, to the effect under-written,—viz., with full power and commission to them, or major part of them, hereby declared to be their quorum, to meet and visit all universities, colledges, and schools within this kingdom, and to take tryal of the present professors, principal, regents, masters, and others, bearing office therein, according to the qualifications and rules above-mentioned, and such as shall be found to be erroneous, scandalous, negligent, insufficient, or disaffected to their Majesties government, or



who shall not subscribe the Confession of Faith, swear and subscribe the oath of allegiance, and submit to the government of the Church now settled by law, to purge out and remove; as also to consider the foundations of the saids universities, colledges, and schools, with the rents and revnues thereof, and how the same have been administered and managed, and to set down such rules and methods, for the good management thereof for hereafter, as likeways for ordering the saids universities, colledges, and schools, and the professions and manner of teaching therein, and all things else relating thereto, as they shall think most meet and convenient, according to the foundations thereof, and consistent with the present establisht government of Church and State. And to the effect that these presents may be more surely execute, their Majesties, with advice foresaid, do further empower the foresaid persons, visitors, or their quorum, to appoint committees of such numbers of their own members as they shall think fit, to visit the several universities and colledges within this kingdom, with the schools within the bounds to be designed to them, and that according to such instructions and injunctions as they shall think fit to give them: And to the effect, that upon report made by the said committee, to the aforesaid visitors, or their quorum, they may proceed and conclude thereupon, as they shall see cause. And their Majesties appoint the aforesaid visitors to meet at Edinburgh upon the twenty-third day of July instant, for the first dyet of their meeting, with power to them, to adjourn and appoint their own meetings, to such days and places as for thereafter they shall judge convenient, and this commission to endure, ay and while their Majesties recall and discharge the same.

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### XXIII.

Act concerning Patronages. July 19, 1690.

X Our Sovereign Lord and Lady, the King and Queens Majesties, considering, that the power of presenting ministers to vacant churches, of late exercised by patrons, hath been greatly abused, and is inconvenient to be continued in this realm, do therefore, with the advice and consent of the estates of parliament, hereby discharge, cass, annul, and make void the foresaid power, heretofore exercised by any patron of presenting ministers to any kirk now vacant, or that shall hereafter happen to vaick within this kingdom, with all exercise of the said power: And also all rights, gifts, and infeftments, acts, statutes, and customs, in so far as they may be extended, or understood, to establish the said right of presentation; but prejudice always, of such ministers as are duly entered by the foresaid presentations (whilc in use) their right to the manse, gleib, benefice, stipend, and other profits of their respective churches, as accords: And but prejudice to the patrons, of their right to imploy the vacant stipends, on pious uses, within the respective paroches, except where the patron is Popish, in which case he is to imploy the same on pious uses, by the advice and appointment of the presbytry; and in case the patron shall fail in applying the vacant stipend for the uses foresaid, that he shall lose his right of administration of the vacand stipend, for that and the next vacancy, and the same shall be disposed on by the presbytry, to the uses foresaid; excepting always the vacant stipends within the bounds of the synod of Argyle: And to the effect, the calling and entering ministers in all time coming, may be orderly and regularly performed, their Majesties, with consent of the estates of parliament, do statute and declare, that in case of the vacancy of any particular church, and for supplying the same with a minister, the heretors of the said paroch

(being Protestants) and the elders, are to name and propose the person to the whole congregation, to be either approven or disapproven by them; and if they disapprove, that the disapprovers give in their reasons, to the effect the affair may be cognosced upon by the presbytry of the bounds, at whose judgment, and by whose determination the calling and entry of a particular minister, is to be ordered and concluded: And it is hereby enacted, that if application be not made by the eldership, and heretors of the paroch, to the presbytry for the call and choice of a minister, within the space of six months after the vacancy, that then the presbytry may proceed to provide the said paroch, and plant a minister in the church, *tanquam jure devoluto*. It is always hereby declared, that this act shall be but prejudice of the calling of ministers, to royal burghs by the magistrats, town council, and kirk session of the burgh where there is no landward paroch, as they have been in use before the year 1660. And where there is a considerable part of the paroch in landward, that the call shall be by magistrats, town council, kirk session, and the heretors of the landward paroch. And in lieu and recompense of the said right of presentation, hereby taken away; their Majesties, with advice and consent foresaid, statute and ordain, the heretors and liferenters of each paroch, and the town councils for the burgh, to pay to the said patrons, betwixt and Martinmas next, the sum of six hundred merks, proportionally effeiring to their valued rents in the said paroch,—viz., two parts by the heretors, and a third part by the liferenters, deducing always the patrons own part, effeiring to his proportion as an heretor, and that upon the said patron his granting a sufficient and formal renunciation of the said right of presentation, in favours of the saids heretors, town council for the burgh and kirk session, and it is hereby declared, that as to the paroches to which their Majesties have right to present; upon payment of the said six hundred merks to the Clerk of the Treasury, their Majesties shall be fully denuded of the right of presentation, as to that paroch; and as to other patrons, if they refuse to accept the said six hundred merks, the same is to be consigned in the hands of a responsal person in the paroch, upon the hazard of the consigners, not to be given up to the patron, until he grant the said renunciation, allowing, in the meantime, the heretors and kirk session, to call the minister conform to this act: And ordains letters of horning to be direct at the instance of the patron, against the heretors and others, who shall not make payment of the said six hundred merks, after the said term of Martinmas next, and likewise at the instance of the heretors, and others willing to pay, against these who are unwilling: and in case the patron be unwilling, to accept the said sum, or the heretors and others aforesaid, unwilling to pay, ordains letters of horning to be direct at the instance of their Majesties solicitor, against either of them. And further their Majesties, with advice and consent foresaid, statute, enact, and declare, that the right of the teinds of the saids paroches, which are not heretably disposed, shall by vertue of this present act belong to the said patrons, with the burden always of the ministers stipends, tacks and prorogations already granted to the said teinds, and of such augmentations of stipends, future prorogations, and erections of new kirks, as shall be found just and expedient, providing the saids patrons, getting right to the teinds, by vertue of his present act, and who had no right thereto of before, shall be, likeas, they are hereby obliged to sell to each heritor the teinds of his own lands, at the rate of six years purchase, as the same shall be valued by a commission for valuation of teinds; and whereas there are certain lands and annualrents holden of the said benefices, and beneficed persons, from which the patron



might have some benefit arising to them; it is hereby ordained that the right of superiority of the saids lands and annualrents, shall belong to their Majesty in all time coming, with all the whole casualities and emoluments thereof, notwithstanding of any former act of parliament in the contrair; reserving notwithstanding of the patrons, the feu-farms, and feu-mails of the said superiorities, ay and while they receive payment and satisfaction from their Majesties, of the price thereof, at the rate of 100 merks for each chalder of victual over head, and for each hundred merks of feu-mail, except where the said feu-farms are a part of the ministers modified stipend, or where the minister is, and has been in possession thereof by the space of ten years, or where he has the full benefice, in which cases, they are to be irredeemable. Excepting likeways from this act the superiorities belonging the Deanry of Hamilton and the Provostry of Bothwell, whereunto the Duke of Hamilton has right, which are no ways hereby prejudged.

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### XXXV.

Act anent Ministers that have not prayed for the King and Queen.

July 22, 1690.

The estates of parliament taking into their consideration, that several ministers deprived for not praying publickly for King William and Queen Mary, as King and Queen of this realm, and not reading the proclamation of the estates, emitted upon the thirteenth day of April, one thousand six hundred eighty-nine, for that effect, are by their sentence of deprivation expressly prohibited to exercise any part of their ministerial function within the paroches from which they were deprived; do nevertheless now far more perniciously and dangerously diffuse the poyson of their disaffection, by taking the liberty to preach and pray at other churches, and else where, where they neglect to pray for King William and Queen Mary, in manner enjoyned by the said proclamation, to the manifest contempt of publick authority, and the stirring up and fomenting the disaffection of the people to their Majesties, and the present government, and the encouragement of all their enemies. Therefore our Sovereign Lord and Lady, the King and Queens Majesties, with advice and consent of the said estates of parliament, do hereby prohibit and discharge the whole aforesaid ministers, deprived as said is, to preach or exercise any part of the ministerial function, either in churches or else where, upon any pretext whatsoever, until first they present themselves before the lords of their Majesties secret council, and there in presence of the lords thereof, take, swear, and subscribe the oath of alledgeance, and also engage themselves under their hands, to pray for King William and Queen Mary as King and Queen of this realm, and not to owne or acknowledge the late King James the Seventh for their King, in any sort, conform to the tenor of the said proclamation; certifying such ministers as shall do in the contrary, that they shall be proceeded against as persons disaffected, and enemies to their Majesties government, with all rigor: And further, their Majesties, with advice and consent foresaid, ordain the said proclamation, and act of the estates of the kingdom, to be put to further execution against all such ministers, who have not as yet given obedience thereto, by praying for their Majesties in manner foresaid; and that the lords of their Majesties privy council proceed therein, or impower the sheriffs and magistrats of burghs, to do the same within their respective bounds, as they shall see cause.



1691-1702.

## INTRODUCTION.

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HAVING, in the detail of statutes by the supreme civil legislature, given the authentic record of the re-establishment of the Presbyterian Church,—and having, in the collateral documents, exhibited some details of the national movement, both prior to, and consequent on, that establishment, we may be permitted, in a few brief sentences, to point out its leading characteristics, as the national ecclesiastical institution for the religious instruction of the people of Scotland, which still subsists, without any change on its structure and essential elements, except in one particular,—viz. Patronage.

The first consideration which presses itself on our attention is the fact, that the re-establishment of the Presbyterian Church was purely and entirely an act of the state,—of the supreme legislative authority which then ruled the land. It cannot with truth be affirmed, that the Presbyterian body, *as a Church*, had any concern in its reconstruction. Undoubtedly, individuals of that persuasion solicited the sovereign authority to restore it, and used all their influence privately, or as members of parliament, to accomplish their object; but so far as we have been able to discover, there is no trace of any evidence extant, which shows that, in a collective capacity, and with the authority of an aggregate body acting as a Church, in any mode known to the constitution of the kingdom, the Presbyterians entered into any compact with the state, and adjusted the ground-work or platform of it, as had been done in 1567 and 1592,—the terms of the arrangement having, on those occasions, been previously adjusted by committees of the parliament and of the Protestant Church, to which the civil sanction was

afterwards superadded in the form of acts of parliament. If there be in existence any evidence of such negotiations and stipulated terms, at the time of the Revolution, as we allude to, we have never seen it ; nor so far as we have ever heard, did the Presbyterian clergy then alive, or the Presbyterians as a body, set up any pretensions to any inherent, reserved, and merely scriptural rights, as something clothed with an independent jurisdiction, co-ordinate with, and uncontrollable by, the Sovereign and civil legislature, or the civil judicatures established by their authority, for the administration of justice in the land. Such theories are but the idle dreams of modern visionaries, borrowed from the speculations of troublous times, during the reigns of King James VI. and Charles I.; and they seem altogether irreconcilable with the statutory constitution of the re-established Presbyterian Church, as embodied in the acts of parliament passed in the year 1690.

The tenor of all those acts warrants us to assume, that the re-establishment of the Presbyterian Church was a free and voluntary, if not a spontaneous, act of the state alone. By the second act of the parliament 1690, “their Majesties, with advice and consent of the estates of parliament, ordain and appoint that all the Presbyterian ministers yet alive, who were thurst from their charges since the 1st day of Jan. 1661, or banished for not conforming to Prelacy, and not complying with the courses of the time, have free access to their churches,” &c. By the 5th act, their Majesties, in like manner, with advice and consent of the three estates of parliament, ratified all former acts against Popery (Prelacy being abolished the previous year by the Convention),—ratified the Westminster Confession of Faith,—ratified the Presbyterian Church government and discipline, conform to the act of 1592, “except that part of it relating to patronages, which is hereafter to be taken into consideration,”—rescinded a number of acts connected with Prelacy,—invested the restored ministers with the power to exercise Church government and discipline, and conferred on them, and such as should be admitted by them, a legal right to the temporalities of their benefices ; and “*THEIR MAJESTIES do hereby appoint the first meeting of the General Assembly of this Church, as above established, to be at Edinburgh the third Thursday of October next*

*to come, in this instant year 1690.*" And further, by the same act, "*their Majesties*, with advice and consent foresaid," allowed that general meeting or assembly, thus authorized, to name *Visitors* "to try and purge out all insufficient, negligent, scandalous, and erroneous ministers," &c. In addition to all these direct and express enactments, emanating from the supreme civil authority in the state, and evincing its paramount and exclusive authority so to enact, there is a chapter in the Confession of Faith (the 23d), then ratified, by which the authority of the civil magistrate, in matters ecclesiastic, is unequivocally declared; nor in any one of the statutes of the time, is there the slightest trace to be found of any recognition, by parliament, of any inherent or independent jurisdiction being vested in the Church courts, beyond what was thus conferred. No power is given to put forth edicts, regulations, or decisions inconsistent with the laws of the land; no warrant is given to them to convoke General Assemblies of their own authority, or for General Assemblies to delegate their judicative functions,—(except in the particular case which then called for that expedient,)—to visitors, commissions, or committees,—the only judicatories established by that statute being kirk-sessions, presbyteries, synods, and general assemblies,—conformably to the platform of 1592.

It has been supposed, indeed, that a particular clause in the act of 1592, thus ratified in 1690, reserved to the Church a high and undefined measure of ecclesiastical jurisdiction, entirely beyond the control of all civil authority,—viz., the clause which declares that the act 22d May 1584, "sall no ways be prejudiciall, nor derogat anything to the privilege that God hes gevin to the spirituall office-beareris in the kirk, concerning heads of religioun, materis of heresie, excommunication, collatioun, or deprivation of ministeris, or ony sik essential censours, speciall groundit and havand warrand of the Word of God." And this theory has been contended for under various passages in the Confession of Faith, where it is said that Christ is the sole head of the Church universal,—that he hath appointed Church officers distinct from the civil magistrate, &c., from all which it is inferred, that even by the civil statutes establishing the kirk, its office-bearers are invested with a jurisdiction altogether independent of, and above the control of, any secular authority.



This hypothesis, however, which is altogether irreconcilable with the first principles of Protestantism, is quite untenable upon any rational construction of the statutes referred to. 1st, By an act of parliament in 1567 (c. 12.) "Anent the jurisdiction of the kirk," it is declared that "the Kingis Grace, with avise of my Lord Regent and thre estatis of this present parliament, hes *declarit* and *grantit* iurisdiction to the said kirk, quhilk consistis and standis *in preaching of the trew Word of Jesus Christ, correctioun of maneris, and administration of holy sacramentis.*" This act has never been repealed, and it contains a plain definition of the limits of the jurisdiction of our Protestant clergy. 2dly, Although the clause above quoted in the act 1592 appears to open a wide latitude to the range of ecclesiastical jurisdiction,—viz., "to put ordour to all materis and causes ecclesiasticall;" yet this power is limited by that very act itself, which provides that their ministerial function of collation is held under this restriction, that "the foirsaidis presbiteries be *bund and astrictit* to ressaue and admitt quahatsomeuir qualifiet minister presentit be his Majestie or uther laic patrounes,"—a provision as to which our Church courts have recently discovered they are invested with a dispensing power. But those more ancient statutes are further to be interpreted in the clauses which are said to confer such high jurisdiction as is now claimed, by reference to the 23d chapter of the Confession of Faith, in which it is expressly laid down, that, although the civil magistrate "may not assume to himself the administration of the word and sacraments, or the power of the keys of the kingdom of heaven; yet he hath *authority*, and it is *his duty* to take order, that *unity and peace* be preserved in the Church,—that the truth of God be kept pure and entire,—that all blasphemies and heresies be suppressed, all corruptions and abuses in worship and discipline prevented or reformed, and all the ordinances of God duly settled, administered, and observed; for the better effecting whereof, he hath power *to call synods, to be present at them, and to provide that whatsoever is transacted in them, be transacted according to the mind of God.*"

This enactment of the supreme legislature in this land,—the latest to be found in the statute-book respecting the correlative jurisdictions of Church and State,—clearly implies the existence of a supereminent power in the latter

to control, and even to coerce, the Church judicatories in any deviations beyond their legitimate sphere of operation; and as will be demonstrated in the sequel, the law in this matter was so practically interpreted and acted upon, by a frequent and vigorous exercise of the royal prerogative, thus declared to be inherent in the Sovereign, and the civil judicatories acting by his authority. We shall not, however, anticipate; but we could not resist the opportunity thus afforded, of stating plainly the nature and limits of ecclesiastical authority conferred on the Presbyterian Church by its constitution in 1690.

The only other acts of parliament to which, in this cursory review of the events of 1690, it is necessary to advert, were the act concerning patronages (ch. 23),—the act rescinding various statutes for denouncing excommunicated persons and enjoining civil pains upon sentences of excommunication (ch. 28),—the act anent ministers that have not prayed for the King and Queen (ch 35.) By the first, the right of presenting ministers to the vacant parishes, was taken from the patrons and given to the landholders and kirk sessions,—a system, the effects of which will be best read in the results which followed its enactment. By the second, the thunders of ecclesiastical censures were deprived of their terrors and tortures; and, by the last, the sovereign authority exercised its paramount power, and under it the King exerted his prerogative, constraining the Presbyterian Church in the exercise of its spiritual functions, to a degree fully as Erastian as anything that has been condemned by some Churchmen in former or later times.

Under the special authority of the act of parliament already alluded to, the General Assembly, of the renovated Presbyterian Church, met at Edinburgh on the day of October 1690. We need not dwell on its proceedings further, than to remark that, in terms of the parliamentary authority, it appointed a commission of VISITORS for ejecting insufficient ministers, and receiving such of the Episcopalian clergy as were disposed to accede to the new establishment. Of the proceedings of that commission, unfortunately, the records are lost,—at least we are credibly informed there is no trace of them in the library of the Church. The probability, therefore, is, that they were destroyed by a fire, which took place in the Lawnmarket of Edinburgh on the 28th of October 1701, on which occasion many of the archives of the Church perished.

From the tenor of the various letters, and the gleanings hereto subjoined, we learn that its proceedings were so little in accordance with the wishes of the King, for a generous and comprehensive toleration and admission of the Episcopalian clergy, that he more than once rebuked them for their conduct, and evinced great reluctance to call another General Assembly for some years afterwards. In a letter from Lord Carmichael, the commissioner in the Assembly of 1690, dated November 14, to Lord Melvill, he writes thus:—

“ The Assembly was yesternight concluded. In his Majesties nam I did dissolve it, and declared it to be dissolved, and then appointed the next Assemblie to meet at Edinburgh the first of November nixt, according to his Majesties instructiones, which I hav also in all other points studied to follow as closlie as possible.”

This dissolution, by the royal authority, came rather abruptly on the Assembly, as we learn from a pamphlet of the day, while the members were debating among themselves when the next meeting should take place. They acquiesced quietly in the unexpected dissolution and indication of the next Assembly, without any remonstrance or cavalling,—and this terminated the first General Assembly after the Revolution.

Without prosecuting here, in all their detail, the proceedings in parliament, or in the Church subsequently to 1690, (which would lengthen these explanatory sketches beyond what was contemplated, or would be convenient,) we deem it advisable rather to subjoin the various acts of parliament, which were passed relative to the Church after its first establishment during the remainder of the reign of King William III., who died on the 3d of March 1702, reserving for a SUPPLEMENT the acts of the Assemblies, and other illustrative documents, which we find have accumulated on our hands beyond what we had anticipated when these sheets were sent to the press. By adopting this arrangement, we shall most satisfactorily exhibit the parliamentary constitution of the Presbyterian Church after the Revolution, and furnish, within a narrow compass, the most authentic exposition of its character that can be given. With the acts of parliament in his hand, every man can judge for himself, what was the real nature of the establishment contemplated by the state, and accepted with gratitude by the Church, on whom it was bestowed,—nor would it be fitting, in such a compila-



tion, to obtrude many remarks, which might be liable to misconstruction.

There are some documents, however, relative to the period to which we refer, of such a nature, that it is considered advisable to give them a place here, rather than to postpone them for the SUPPLEMENT : we allude to a variety of proclamations, which were issued by the crown, indicting, adjourning, and dissolving General Assemblies of the Church subsequently to the Revolution ; and these documents are perhaps the more important, that their existence and effect are but little known, even to many well-informed members of the Established Church. But as a suitable preliminary to these, we may extract from the original charter of the Presbyterian Church (the act of 1592), the clause in it which bears reference to the General Assemblies. That statute, by which the Presbyterian polity was first established,—

“ Declaris that it salbe lauchful to the Kirke and ministrie euerilk zeir at the leist, and ofter *pro re nata* as occasion and necessitie sall require, to hald and keep Generall Assemblies, *providing that the Kingis Maiestie or his Commissioner with thame to be appoyntit be his Heienes, be present at ilk Generall Assemblie*, befoir the dissolving thairof, *nominat* and *appoynt* tyme and place quhair the next Generall Assemblie sall be halden ; and in caise nather his Maiestie nor his said Commissioner beis present for the time in that toun quhair the said Generall Assemblie beis halden, then in that caise, it salbe lesum to the said Gencrall Assemblie be thamselffs to *nominat* and *appoynt* tyme and place quhair the next Generall Assemblie of the Kirk sal be keepit and halden, as they haf bene in use to do thir tymes bipast.”

We pretend not to put any interpretation of our own upon this provision in the fundamental statute by which Presbyterianism was introduced, and which was ratified in 1690 ; but we think the practical construction put upon it by the government who thus adopted it, and that was acquiesced in by the Church for several successive years, may be regarded as evincing its true meaning and effect. Let us see, then, what actually took place after the Revolution, with respect to the calling and adjourning, or dissolving of General Assemblies.

As already stated in these remarks, the first General Assembly after the Revolution was held in virtue of a

special sanction, for that effect, given in *the act of parliament* restoring Presbyterian Church government.

It was re-established by act of parliament; and, in that act, the Church, as thus revived, was *authorized* to meet on the 3d Thursday of October the same year. It met accordingly, and was dissolved; and another Assembly appointed to be held on the 1st November 1691, — this being done by the King and Queen's *Commissioner*. It did not, however, meet in November that year, having been adjourned by a *royal proclamation*, — not by any act of the Church itself, — till the 15th of January 1692. In proof of this, we subjoin the following proclamation:—

“ A PROCLAMATION adjourning the General Assembly.

“ William and Mary, by the Grace of God, King and Queen of Great Britain, France, and Ireland, Defenders of the Faith, To

Macers of our Privy Council, messengers-at-arms, our sheriffs in that part, conjunctly and severally, specially constitute, greeting: Whereas we had appointed the General Assembly of the Church of this our antient kingdom, to meet and convene the first day of November next; and we, considering how necessary it may be, that our Commissioner to the former Assembly attend us, before the sitting down of the said General Assembly, that we may give full instructions to our Commissioner, who is to be present thereat, for the better adjusting matters relating to the said General Assembly; and, for that end, having called up our Commissioner to attend us at our return to Britain, he cannot return in due time before the said first of November: Therefore we, with advice of our Privy Council, have thought fit to delay and adjourn the meeting of the said General Assembly, from the said first of November to the fifteenth day of January next to come, one thousand six hundred and ninety-two years. And that the members be not put to the trouble of attendance before that time, we hereby declare the same to be adjourned till the day foresaid accordingly. Our will is herfore, and we charge you strictly, and command, that incontinent these our letters seen, ye pass to the Mercat-cross of Edinburgh, and whole other Mercat-crosses of the head burghs of the several shires within this kingdom, and there, in our name and authority, make publication of the premises that

none pretend ignorance: And ordain these presents to be printed. According to justice, as ye will answer to us thereupon: The which do we commit to you, conjunctly and severally, our full power by these our letters, delivering them by you duly execute and indorsat, again to the bearer.

“ Given under our signet at Edinburgh, the twenty-sixth day of October, and of our reign the third year 1691.

“ Per actum Dominorum Secreti concilii, et in Supplementum Signetti.

“ GILB. ELIOT, *Cls. Sti. Concilli.*

“ God Save King William and Queen Mary.”

An Assembly, accordingly, did convene on the 15th of January 1692; but, after sitting a whole month, evading the main business for which it was held,—viz., the admission into the Presbyterian Church of such Episcopalian ministers as were disposed to sign the Confession of Faith, and conform to Presbyterian government,—that Assembly *was dissolved by royal authority*. As no account of that Assembly’s proceedings is given among the printed acts of the Church, the particulars are to be found only in the MS. copies, from one of which (*duly authenticated*) the following account of its dissolution is transcribed.\*

Upon Saturday the 13th of February 1692, the Assembly being met and constituted, the Earl of Lothian, then royal Commissioner, spoke as follows:—

“ ‘ Moderator, what I said last had so little success, that I intend to give you no more trouble of that nature; only this, you have now sit about a month, which was a competent time both for to have done what was the principal designe in calling this Assembly (of uniting with your brethren), and to have done what else related to the Church; but his Majesty, perceiving no great inclinations among you to comply with his demands, hath commanded me to dissolve this present General Assembly; so I, in their Majesties’ name and authority, do dissolve this General Assembly.’ Whereupon the moderator asked his Grace, if this Assembly was dissolved, without nameing a diet for another? To this his Grace made return in these

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\* *Vide Supplement.*



words : ‘ His Majesty will appoint another General Assembly in due time, wherewith you will be timeously advertised.’ Upon this, the moderator desyring of his Grace that he might be heard a few words, his Grace told him that he could not hear him as moderator, only as a private person. The moderator answered, ‘ In whatever capacity your Grace pleases, I beg to be heard a few words.’ His Grace replied, ‘ that as a private person he might speak ;’ whereupon the moderator delivered himself as follows : ‘ May it please your Grace, This Assembly, and all the members of this national Church, are under the greatest obligations possible to his Majesty, and if his Majesty’s commands to us had been in any or all our concerns in the world, we would have laid our hands upon our mouths and been silent ; but they being for a dissolution of this Assembly, without indicting of another to a certain day ; therefore (having been moderator to this Assembly), I in their name, they adhering to me, humbly crave leave to declare, that the office-bearers in the house of God have a spiritual intrinsic power from Jesus Christ, the only head of the Church, to meet in Assemblies about the affairs thereof, the necessity of the same being first represented to the magistrat. And further, I humbly crave, that the dissolution of this Assembly, without indicting a new one to a certain day, may not be to the prejudice of our yearly General Assemblies, granted us by the laws of the kingdom.’ Here the members rose up, and with one voice, declared their adherence to what the moderator had said ; whereupon the moderator, turning himself to the Assembly, cryed, ‘ Brethren, let us pray :’ but the members, by a general cry, pressed to name a diet for the next General Assembly. Whereupon the moderator said, that ‘ If they pleased, the next General Assembly might meet here at Edinburgh upon the third Wednesday of August 1693 ;’ and the members again with one voice declare their approbation thereof. Then the moderator having ordered silence, concluded with prayer, and singing the 133d psalm, and pronouncing the blessing.”

The time thus appointed by the moderator,—after the Assembly was dissolved, and when, consequently, all who were present were merely private men, and not a General Assembly lawfully met,—was the 3d Wednesday of August 1693. *No Assembly, however, was held of that date.* The “ spiritual intrinsic power ” of the Church to hold Assemblies without the royal sanction evaporated. There

was no attempt even to hold one ; and the clergy of those days prudently succumbed to the supreme power of the state.

On the 27th of September 1693, King William, by proclamation, indicted another Assembly, to be held on the 16th of December following ; but before that time arrived, the following proclamation was issued, *adjourning it* :—

LETTER from King to the Privy Council, to indict a General Assembly. [Privy Council Record, p. 140.]

“ WILLIAM R.

“ Right trustie and right well beloved cousin and counsellor, right trusty and entirely beloved cousin and counsellor, and right trusty and right well beloved cousins and counsellors, &c. We greet you well. Whereas the reall good of our people, both in their religious and civill concerns, is, and ever shall be, verie dear unto us ; and that we are hopefull that the meeting of a Generall Assembly of the Church of that our antient kingdome may contribute thereto, we have thought fitt to appoynte a meeting thereof to be at Edinburgh the sixth day of December nixt ensuing. It is therefore Our will and pleasure, and We doe hereby require and authorize you to issue furth a proclamatiōe in our name, with all convenient dilligence, indicting a meeting of the said Generall Assembly to be at our said towne of Edinburgh, the sixth day of December nixt to come, for doing whereof, this shall be your warrand. And so we bid you heartily farewell.

“ Given at our camp at St Quintin Linick, the seventh day of September, old style, 1693, and of our reigne the fifth year.

“ By his Majesties command,

“( *Sic subscr.*)      JA. STEVENSON.”

In obedience to this order the Privy Council issued the following proclamation indicting a General Assembly :—

“ William and Mary, by the Grace of God, King and Queen of Great Brittain, France, and Ireland, Defenders of the Faith, to our Lyon King-at-armes and his brethren,

heraulds, macers of our Privie Councell, pursevants, messengers-at-arnes, our sheriffs in that part, conjunctlie and severallie, specially constitute, greeting : Forasmuch as the reall good of our people, both in their religious and civill concerns, is ever and shall be very dear unto us, and that we are hopefull the meeting of a Generall Assembly of the Church of this our antient kingdome may contribute thereto; therefore, we, with advyce of our Privie Councell, doe appoynte and ordaine a Generall Assembly of the Church of this our antient kingdome, to meet and convene at Edinburgh the sixth day of December nixt to come, and require and command all elections usuall and necessary for the said Generall Assembly to be dewly and tymouslie made, and all persones concerned, to attend the said meeting, day and place foresaid, as they will be answerable. Our will is herefore, and we charge you strickly and command, that incontinent these our letters seen, ye pass to the Mercat-cross of Edinburgh, and whole remanent crosses of the head burghs of the several shires and stewartries within this our realme, and there, be open proclamatione, make intimation of the premisses, that none may pretend ignorance; and ordaines these presents to be printed. Given under our signet at Edinburgh, the twenty-seventh day of September, and of our reign the fifth year 1693.

“( *Sic subscribitur ut sederunt* )” viz,—

| LO. CHANCELLOR.  
D. HAMILTONE.  
E. SOUTHERLAND.  
E. LINLITHGOW.  
E. FORFAR.  
VIS. TARBAT.  
LO. STRATHNAVER.  
LO. ROSS.  
LO. BEILHAVEN.  
LO. CRMIACHAEL.  
LO. POLLWARTH.  
LO. ADVOCAT.  
LO. JUSTICE CLARK.  
W. FRA. LONTGOERY.  
LO. POLOCK.]

The meeting of the Assembly, however, was still further adjourned, as appears by the following documents.



“ LETTER from the King ordering Adjournment of the  
“ General Assembly.

“ At Edinburgh, the twentieth day of November  
1693 years,—(p. 181 of Privy Council Record,)

“ The following letter being redd, approven, and signed,  
was ordered to be recorded, whereof the tenor followes :—

“ (*Suprascriptur*) WILLIAM R.

“ Right trustie and right well beloved cousin and coun-  
cellor, &c. We greet you well. Whereas, by our former  
letter, wee did authorize and requyre you to issue out a  
proclamatione, for calling a Generall Assemblie to meet at  
Edinburgh the sixth day of December next, we are  
firmly resolved that Generall Assemblys shall meet accord-  
ing to law. But we being detained beyond our expect-  
atione from Brittain, and hoping that a delay may be  
more for the advantage of the Church in that our antient  
kingdome and the good of our service, because thereby  
we shall have tyme fully to instruct our Commissioner, and  
matters may be in more readiness and better prepared;  
Therefore it is our pleasure, and we doe authorize and re-  
quyre you to emitt a proclamatione in our names, adjourning  
the meeting of the Generall Assembly, from the sixth day of  
December next, to the twenty-nynth day of March 1694  
years, at Edinburgh, and that such intimationes be speedily  
made, as may certifie the commissioners from the severall  
presbytries, not to give their attendance till the 29th  
day of March forsaide: For doing whereof, this our  
royall letter to be recorded in your books, shall be to you  
a sufficient warrant. Given at our court at Kensingtoun,  
the 24 day of November 1693, and of our reigne the  
5th year.

“ By his Majesty’s command.

“ (*Sic subr.*) JO. DALRYMPLE.”

“ The following proclamatione being redd, approven, and  
signed, was ordered to be recorded :—

“ A PROCLAMATION adjourning the General Assembly.

“ William and Mary, by the Grace of God, King and  
Queen of Great Britain, France, and Ireland, Defenders  
of the Faith, To

Macers of our Privy Council, or messengers-  
at-arms, our sheriffs in that part, conjunctly and severally,

pecially constituted, greeting : Forasmuch as we *being firmly resolved that the General Assembly of the Church of this our antient kingdom should meet according to law*, did, by our proclamation of the date the twenty-seventh day of September last, indict and appoint a General Assembly of the said Church to meet at Edinburgh the sixth day of December next ; and We, considering that Our being detained from Britain beyond our expectation, did necessarily hinder the timely ordering of what concerned the meeting of the said Assembly, and hoping that a delay may be more for the advantage of the Church in this our antient kingdom, and the good of our service, seeing thereby we shall have time fully to instruct our Commissioner, and better prepare and have matters in readiness for the meeting of the said General Assembly : Therefore, we, with advice of the lords of our Privy Council, have thought fit to delay and adjourn the meeting of the said General Assembly of the Church of this our antient kingdom from the said sixth day of December next, to meet at Edinburgh the twenty-ninth day of March one thousand six hundred and ninety-four years. And that the members of the said Assembly be not put to the trouble of attending before that time, we do hereby declare the same to be adjourned to the said twenty-ninth day of March accordingly. Our will is herefore, and we charge you strictly, and command, that incontinent these our letters seen, ye pass to the Mercat-cross of Edinburgh, and whole other Mercat-crosses of the head burghs of the several shires, within this kingdom, and there, in Our name and authority, make publication of the premises, that none pretend ignorance ; and ordaines these presents to be printed.

“ Given under our signet at Edinburgh, the twenty-eight day of November, and of our reigne the fifth year 1693.

“ Per actum Dominorum Secreti Concilii, et in Supplementum Signeti.

“ GILB. ELIOT, *Cls. Sti. Concilii*.

“ God Save King William and Queen Mary.”

A General Assembly was held, in terms of the foregoing proclamation, on the 29th of March 1694, and another indicted by the Commissioner at the dissolution

thereof, to be held on the first Thursday of April 1695. But before the meeting thereof, it was adjourned, in obedience to the following royal mandate :—

“LETTER from the King to the Privy Council to adjourn the General Assembly.

“ WILLIAM R.—Right trusty and right wel beloved cousin and counsellor, &c. Whereas our Commissioner to the last Generall Assemblie did indict a new Generall Assemblie to meet the      day of Apryle next, and our affaires not allowing it to meet at that tyme, It is our will, and we doe authorize and requyre you to emit a proclamacione, in our name, adjourning the meeting of the Generall Assemblie from the      day of Apryle next, to the eleventh day of Julie next insuing, for doeing whereof this shall be your warrand; and so we bid you heartily farewell. Given at our Court at Kensingtoun, the twentie-third day of March 1694-5, and of our reigne the sixth year.

“ By his Majesty’s command,

“ *Sic subs.*      JO. DALRYMPLE.”

This was followed by a

“ PROCLAMATION adjourning the Generall Assemblie from the      day of Apryll next to the 11 day of July 1695.

“ William, by the Grace of God, King of Great Brittain, France, and Ireland, Defender of the Faith, to our Lyon King-at-arms and his brethren, heraulds, macers of our Privy Councill, pursevants, messengers-at-armes, our sheriffs in that part, conjunctly and severallie, speciallie constitut, greeting. Forasmuch as we, by our Commissioner to the last Generall Assemblie, did indict a new Generall Assemblie to meet the      day of Apryle next, and our affaires not allowing it to meet at that tyme, it is our will, and we have thought fitt to adjourne the meeting of the Generall Assemblie from the said      day of Apryle next, to the eleventh day of July thereafter; Therefore we, with advyce of the Lords of our Privie Councill, doe hereby adjourne the said Generall Assemblie untill the said eleventh day of July next ensueing, and then to meet at Edinburgh: Requyreing all the members of the said Assemblie to attend the said day. Our will is herefore, and we charge



you strictly, and command, that incontinent thir our letters seen, ye pass to the Marcat-cröss of Edinburgh, and whole other Marcat-crosses of the head burghs of the severall shyres within this kingdome, and there, in our name and authority, make publicatione hereof, that none may pretend ignorance; and ordaines these presents to be printed. Given under our signet at Edinburgh, the twenty-eight day of March, and of our reigne the sixth year 1695 years.

“ *Sic Subscribitur.*      ANNANDALE, P.  
MORTON.  
FORFAR.  
BREADALBANE.  
TARBAT.  
STRATHNAVER.  
CARMICHAEL.  
JA. STEUART.  
JO. LAUDER.”

Another adjournment, however, of this Assembly took place in consequence of the following royal letter and proclamation:—

“ Holyrudehouse, the nynth day of July 1695—  
(A very full meeting of Council).

“ LETTER from the King, adjourning the General Assembly.

“ The letter, after insert, being read in presence of the Lords of his Majestie’s Privy Councill, was ordered to be recorded in their books, whereof the tenor followeth:—

“ WILLIAM R.—Right trusty and wel beloved cousin and councillor, &c. We greet you well. Whereas, by your letter in March last, the meeting of our Generall Assemblie was put off to the eleventh day of July next, and our parliament not being now to meet as soon as was then intended, and it being necessary that we know what shall be done in parliament about Church matters before we can give the necessary orders and instructiones for the meeting of the Assemblie: which orders and instructiones, because of the shortness of tyme will interveen betwixt the parliament and this Asemblie, and the distance we shall be at, and the

uncertainty of passadge, may happen to come too late : it is therefore Our Will and pleasure, that, in case you receive noe orders from us before the said eleventh day of July for the meeting of the Generall Assemblie at that tyme, you emitt a proclamacione for adjourning the same to the twentie day of November next to come, against which tyme you may expect the necessary orders concerning the meeting of it. So we bid you heartily farewell. Given at our court at Kensingtoun, the seventeenth day of Apryll Jajvj& nynty and five years, and of our reigne the seventh year.

“ By his Majesty’s eommand,

“ *Sic subscribitur.*      J. JOHNSTOUNE.”

“ After reading of the above letter, the following proclamacione was immediatlie prepared, and the samine being read, voted, and approven, was ordered to be recorded, whercof the tenor followeth :—

“ A PROCLAMATIONE adjourning the Generall Assemblie till the twenty of November, Jajvi& nynty and fyve years.

“ William, by the Graee of God, King of Great Brittain, France, and Ireland, Defender of the Faith, to our Lyon King-at-armes and his brethren, heraulds, maeers of our Privy Council, persevants, messengers-at-arms, our sherriffs, in that part, conjunctly and severally, specially constitute, greeting : Forasmuchas we, by our proclamacione of the date the twenty-eight day of March last by-past, did, for the causes therein specified, adjourne the present current Assemblie of this Church till the eleventh day of July instant ; and seeing the meeting and continowing of this present session of parliament for so long a tyme, together with our absence in Flanders, and severall other reasons, doe oblidge us to continow the said adjournment from the said eleventh day of July instant to the twenty day of November next to come : Therefore, we, with advyse of the Lords of our Privy Councill, doc hereby adjourne the said Generall Assemblie untill the said twenty day of November next to eome,—appoynting the same to meet at that tyme at Edinburgh, and requyreing all the members of the Assemblie to attend that day. Our will

is herefore, and we charge you strictly, and command, that incontinent thir our letters seen, ye pass to the Marcat-cross of Edinburgh, and whole other head burghs of the severall shyres within this kingdome, and there, in our name and authority, make publicatione hereof, that none may pretend ignorance ; and ordaines these presents to be printed.

“ Given under our signett at Edinburgh, the nynt day of July, and of our reigne the seventh year Jajvi& nynty and fyve years.

“ *Sic subscribitur.* ANNANDALE, P.  
QUEENSBERRIE.  
DOUGLAS.  
ARGYLE.  
MORTON.  
CASSILIS.  
LINLITHGOW.  
LOTHIAN.  
KINTORE.  
BELHAVEN.  
RO. SINCLAIR.”

There was still another adjournment of the meeting of Assembly by royal letter and proclamation.

“ Edinburgh, Tuesday, 5 Nov. 1695.

“ The following letter being read, was ordained to be recorded ; and in the meantyme appoynted a proclamatione to be prepared in the tearmes thereof: Follows the tenor of the letter :—

“ *Sic supra scribitur.*

“ WILLIAM R.—Right trusty, &c. We greet you well. Whereas we had appoynted the Generall Assemblie of the Church in that our antient kingdome of Scotland, to meet the twenty day of November next. But not haveing tyme at present to prepare what were necessarie for the said Assemblie, we have thought fitt to delay the meeting thereof for some tyme ; and that the members may not be put to unnecessary trouble, we doe requyre and authorize you to emitt a proclamatione for adjourning the said Generall Assemblie from the said twenty day of November next to the 17 day of December next, and you are to order the members thereof to attend on the said day ; for



doeing whereof this shall be your warrant;—So we bid you heartily farewell. Given at our court at Althorp, the twenty-sixth day of October, Javj& nynety and fyve years, and of our reigne the seventh year.

“ By his Majesty’s command,

“ *Sic subscribitur*, J. JOHNSTONE.”

In consequence of this letter, the Privy Council issued the following proclamation adjourning the Generall Assemblie :—

“ Edinburgh, 7 Nov. 1695.

“ The following proclamations being read, was approved and signed, and ordered to be recorded, whereof the tenor followeth :—

“ A PROCLAMATION adjourning the Generall Assemblie of this Church to the seventeenth day of December next Jajvi& nynty and fyve years.

“ William, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, to our Lyon King-at-armes and his brethren, heraulds, macers of our Privy Council, pursevants, messengers-at-armes, our sheriffs in that part, conjunctly and severally, specially constitut, greeting : Forasmuch as we, by our proclamations of the date the nynth day of July last, did adjourne the present currant Assemblie of this Church to the twenty dzy of November instant ; but not having tyme at present to prepare what were necessarie for the said Assemblie, we have thought fitt to delay the meeting thereof for some tyme ; and that the members may not be put to unnecessary trouble we, with advice of the Lords of our Privy Councill, doe hereby adjourne the present currant Generall Assemblie of the Church from the said twenty day of November instant, to the seventeen day of December next ensuing, appoynting the same to meet at Edinburgh on that day. And requyring all the members thereof to attend the meeting accordingly. Our will is herefore, and we charge you strictly, and command, that incontinent these Our letters seen, ye pass to the Marcat-cross of Edinburgh, and whole other Marcat-crosses of the head burghs of the severall shyres within this kingdome, and there, in Our name and authoritie, make publicatione hereof,

that none may pretend ignorance; and ordaines these presents to be printed. Given under our signet at Edinburgh, the seventh day of November, and of our reigne the seventh year.

“ *Sic subscribitur.*

TWEEDALE.  
SOUTHERLAND.  
YESTER.  
FORFAR.  
JA. STUEART.  
AD. COCKBURNE.  
W. ANSTRUTHER.  
RO. SINCLAIR.  
AR. MURRAY.  
CARMICHAELL.”

In obedience to these several proclamations, no General Assembly was held till the 17th of Dec. 1695,—and when it did meet, so far from murmuring or remonstrating against the repeated exercise of the royal prerogative in adjourning its meeting so frequently, the moderator, as appears from the printed acts of that Assembly, “ did in the Assemblies name represent to his Grace [the Commissioner] how great a mercy it was to this Church and kingdome, that his Majestie had *called* and countenanced this national Assemblie with his authority, and honoured it with a representative of his royal person.” To which the Commissioner replied, “ Right Reverend and you the remanent members of this Assembly, you are now met in assemblie, *conform to the King's appointment.*”

These are a few of the documents which tend to prove the dependence of the Church, as established at the Revolution, on the civil power of the state; and since our attention is directed to the subject by the discussion of recent assumptions of intrinsic and independent jurisdiction in the Church itself, it may not be amiss to note some further documents which tend to dispell that illusion. Confining our observations merely to the point of the royal prerogative in calling and dissolving General Assemblies, (a point which, like some others, it would have been wise in Churchmen to leave in that state of abeyance in which they have been allowed to slumber for more than a century past,)—we may briefly refer to the terms of the commissions annually granted by successive Sovereigns to the noblemen by whom they are represented in the

General Assemblies, as provided for in the act of parliament 1592.

As already remarked, the Assembly of 1690 was convoked by the authority of parliament. That of 1692 was called by the King's authority, and dissolved by his Majesty's instructions,—the meeting being abruptly terminated, without consulting it, and without convoking another,—to the great chagrin of its members. Nor was there another held until parliament again interposed on the 18th of April 1693, when in the act of that date “for settling the quiet and peace of the Church,” the parliament addressed the Sovereigns soliciting their Majesties to call another General Assembly,—thus recognising it as one of the undoubted prerogatives of the crown, so to convoke that supreme judicatory of the Church, under the constitution then so recently granted to it. The terms of that address are thus given in the act of parliament :—“And for the more effectually settling the quiet and peace of this Church, the estates of parliament do hereby make a humble address to their Majesties, *that they would be pleased to call a General Assembly for the ordering the affairs of the Church,*” &c.

With the request in this address, the Sovereigns complied,—and hence the indictments and adjournments which have already been given from the Privy Council record in the course of the year 1693, and which resulted in the Assembly, that was opened on the 29th of March 1694.

The commission granted by King William and Queen Mary to Lord Carmichael, as their representative in that Assembly, proceeds on this narrative :—

“*Quandoquidem nos, Regio nostro animo perpendentes, quam necessarium sit ad religionem reformationem melius reformatam, &c., ut Generalis dictæ Ecclesiæ Conventus, &c., debite observetur.*”

And after naming the Commissioner, it thus proceeds :—

“*Damus pariter et concedimus illi, sacras nostras personas et auctoritatem regiam representandi, locumque nostrum in dicto subsequenti Generali Conventu, tanquam commissionario nostro, in hunc effectum specialiter constituto, tenendi, omniaque alia ad imperium et munus commissionarii, pro Generali Ecclesiæ Conventu peragendi, tam plene adeoque libere in quovis respectu quam quilibet alius ejusdem supremi muneris et characteris fecerat, seu quovis tempore retroacto facere potuerat, atque adeo sicuti nosmetipsi persona-*



*liter presentes facere possemus, plenissimam et amplissimam nostram potestatem et commissionem. Quæ quidem omnia et singula a dicto Joanne Domino Carmichael in hac nostra commissione proseguenda LEGITIME FACIENDA, nos firmiter approbamus, rata habemus et habituri sumus. Omnibus et singulis insuper antedicti Conventus et Ecclesiæ Pastoribus et Presbyteris et cæteris quibuscunque hujus nostri Regni subditis, cujuscunque qualitatis seu conditionis, ut dictum Joannem Dominum Carmichael, tanquam supremum nostrum commissionarium, quoad effectum et modum supra mentionatum, agnoscant revereantur et dicto ipsius audientes se præbeant, stricte mandamus et imperamus."*

It is thus plain that the Commissioner of the crown in the General Assembly is clothed with the full authority of the Sovereign, within the sphere to which his commission extends,—*his acts being in accordance with law*, ("LEGITIME FACIENDA,") and that he is warranted to take such a part in the proceedings of the Assembly as he may deem fitting in order to keep these in harmony with the law of the land, and to render them conducive to the ends for which the Assemblies of the Church are held. The tenor of the commissions granted annually, continued during the reign of King William III., and, indeed, continue to the present time, to be couched in similar language.

As, however, there are some slight variations in the preambles, we give a short note of those variations during the reign of William III., in which, it will be observed, the royal prerogative, in calling General Assemblies, is unequivocally asserted,—and, being so asserted, has been gratefully acquiesced in by every General Assembly since the Revolution, without a single murmuring word against it appearing on the record of any one Assembly.

The preamble of the commission for the Assembly of 1695-6 is thus expressed:—

*"Quandoquidem STATUIMUS Conventum Generalem Ecclesiæ antiqui nostri Regni Scotiæ ad decimum septimum diem mensis Decembris instantis continuari, &c.*

In the commission of 1698, the terms are, "*Quandoquidem ex DECRETO NOSTRO, Generalis Ecclesiæ Conventus, &c., continuatus erat.*" In that of 1699, they are "*Quandoquidem Generalem Ecclesiæ Conventum,*" &c.,

“TENERI DÉCREVIMUS,”—and in the last commission granted by King William (1702), the commission is in the same terms with that for 1695-6. In the royal letter to the Assembly 1697, his Majesty writes thus:—“The proceedings of the last General Assembly was very satisfying to Us, which hath encouraged Us to ALLOW and *countenance* your meeting now.” By these and the other unequivocal declarations, and the repeated exertions of the prerogative above detailed, it is demonstrated that the constitutional power of indicting, adjourning, and dissolving General Assemblies is vested solely in the Sovereign. Indeed, it were an anomaly altogether unaccountable, if, while the crown possesses the undoubted prerogative of calling, proroguing, and dissolving parliaments, it did not possess the power of convoking or dissolving any assemblage of a subordinate character in the kingdom; and it seems conclusive evidence on this subject, that ever since the Revolution, no General Assembly has ever been held on the authority, or by the summons of, the Church itself,—nor do its records bear a single declaration that any Assembly was appointed by ecclesiastical authority, or that it possesses any such constitutional power, otherwise than through the authoritative interposition and exercise of the royal prerogative.

With these cursory remarks, we proceed to exhibit, in chronological order, all the acts of the Scottish parliament which were enacted during the period extending from 1691 to 1702, relative to the Established Church of Scotland; and these, taken in connection with the parliamentary proceedings of the two preceding years, comprise the entire legal “Constitution of the Church of Scotland, as established at the Revolution.”

## LEGISLATIVE ENACTMENTS.

## XXIII.

Act for Settling the Quiet and Peace of the Church. June 12, 1693.

Our Sovereign Lord and Lady, the King and Queens Majesties, with advice and consent of the estates of parliament, ratifie, approve, and perpetually confirm the fifth act of the second session of this current parliament, intituled, act ratifying the Confession of Faith, and settling Presbyterian Church government, in the whole heads, articles, and clauses, thereof; and do further statute and ordain, that no person be admitted, or continued for hereafter, to be a minister or preacher, within this Church, unless that he having first taken and subscribed the oath of alledgiance, and subscribed the assurance in manner appointed by another act of this present session of parliament, made thereanent: Do also subscribe the Confession of Faith, ratified in the foresaid 5 act of the second session of this parliament, declaring the same to be the confession of his faith, and that he ownes the doctrine therein contained, to be the true doctrine which he will constantly adhere to: As likewise, that he ownes and acknowledges Presbyterian Church government, as settled by the foresaid fifth act of the second session of this parliament, to be the only government of this Church, and that he will submit thereto, and concur therewith, and never endeavour, directly, or indirectly the prejudice, or subversion thereof. And their Majesties, with advice and consent foresaid, statute and ordain, that uniformity of worship, and of the administration of all public ordinances within this Church be observed by all the saids ministers and preachers, as the samen are at present performed, and allowed therein, or shall be hereafter declared by the authority of the same, & that no minister or preacher be admitted or continued for hereafter, unless that he subscribe to observe, and do actually observe the foresaid uniformity: And for the more effectual settling the quiet and peace of this Church, the estates of parliament do hereby make a humble address to their Majesties, that they would be pleased to call a general assembly, for the ordering the affairs of Church, and to the end that all the present ministers possessing churches, not yet admitted to the exercise of the foresaid Church government, conform to the said act, and who shall qualifie themselves in manner foresaid, and shall apply to the said assembly, or the other Church judicatures competent, in an orderly way, each man for himself, be received to partake with them in the government thereof: Certifying such as shal not qualifie themselves, and apply to the said assembly, or other judicatures, within the space of thirty days after meeting of the said first assembly, in manner foresaid, that they may be deposed by the sentence of the said assembly and other judicatures *tam ab officio quam a beneficio*; and withal declaring, that if any of the saids ministers who have not been litherto received into the government of the Church, shall offer to qualifie themselves, and to apply in manner foresaid, they shall have their Majesties full protection, ay and while they shall be admitted, and received in mauner foresaid; providing always that this act, and the benefit thereof, shall no ways be extended to such of the said ministers as are scandalous, erronious,



negligent, or insufficient, and against whom the same shall be verified, within the space of thirty days after the said application; but these and all others in like manner guilty, are hereby declared to be lyable and subject to the power and censure of the Church as accords: And to the effect, that the representation of this Church, in its general assemblies, may be the more equal in all time coming, recommends it to the first assembly that shall be called; to appoint ministers to be sent as commissioners from every presbytery, not in equal numbers, which is manifestly unequal where presbyteries are so; but in a due proportion to the churches & parochins within every presbytery, as they shall judge convenient; and it is hereby declared, that all schoolmasters, and teachers of youth in schools, are, & shall be lyable to the tryal, judgment, and censure of the presbyteries of the bounds, for their sufficiency, qualifications, and deportment in the said office. And lastly, their Majesties, with advice and consent foresaid, do hereby statute and ordain, that the lords of their Majesties privy council, and all other magistrats, judges, and officers of justice, give all due assistance for making the sentences and censures of the Church, and judicatures thereof to be obeyed, or otherways effectual as accords.

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## XXVI.

Act anent Parsonages. June 12, 1693.

Our Sovereign Lord and Lady, the King and Queens Majesties, considering, that by the twenty-third act of the second session of this current parliament, concerning patronages, It is statute and declared, that the right of the teinds of paroches, whereof patrons had formerly the presentation by that act abolished; and which teinds are not heretably disposed, should, by vertue of that act, belong to the patrons, with the burden always of the ministers stipends, and others therein exprest; And that it is just and reasonable, that the said benefit should be extended to the patrons of all parsonages, and other benefices without exception: Do therefore, with advice and consent of the estates of parliament, statute, ordain, and declare, that the foresaid right of the teinds granted to patrons, as said is, shall be extended to the teinds of all parsonages, and other benefices; and that the same shall belong to the patrons, with the burden specified in the said act; and further with the burden of provisions, to two ministers in one paroch, if the commission shall think fit; providing always, that where the beneficed person being a minister, having a cure, is in possession of the foresaids teinds as titular thereof, he shall continue and remain in the possession thereof, ay and while the foresaid patron shall obtain a just and reasonable stipend, to be modified and settled upon him, by the commission for plantation of kirks in lieu of his said right to the teinds hereby granted to the patron as said is: which right shall be, without prejudice of any other seperat right, that the said patrons either have, or may have to the said teinds as accords of the law.

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## XXII.

Act against Intruding into Churches without a legal Call and Admission thereto. July 5, 1695.

Our Sovereign Lord considering that ministers and preachers their intruding themselves into vacant churches, possessing of manses and benefices, and exercising any part of the ministerial function in pa-

roches, without a legal call and admission to the said churches, is an high contempt of the law, and of a dangerous consequence tending to perpetuat schism. Therefore, his Majesty with advice and consent of the estates of parliament, statutes and declares that whoever shall intrude themselves into any church, or shall possess manse or benefice, or shall exercise any part of the ministerial function within any paroch, without an orderly call from the heretors and eldership, and legal admission from the presbytery within whose bounds it lies, shall be incapable of enjoying any church, or stipend, or benefice within this kingdom, for the space of seven years after their removal from the Church, and quitting possession of the stipend and benefice into which they intruded: Likeas, his Majesty with advice and consent foresaid, does hereby remit the execution of this present act, to sheriffs, stewarts, baillies of bailliarics, and regalities, and their deputs, and to magistrats of burghs royal, who are hereby authorised and required, to remove and declare uncapable *ut supra*, all these, who shall hereafter intrude into churches within their respective jurisdictions, upon complaint from the presbytry, or any person having warrand from the presbytrie within whose bounds the saids intrusions shall happen to be made hereafter, and that upon citation of ten days: Ordaining hereby letters of horning and caption to be direct *in communi forma* upon decreets to be given by the saids inferior judges, for compelling the saids intruders to remove from the saids churches and manses, and to quite possession of the saids stipends and benefices, and to desist and cease from exercising any ministerial acts within the saids paroches, into which they shall hereafter intrude. Likeas, his Majesty doth hereby recommend to the lords of his Majesties privy council to remove all these who have already, since the establishment of this present Church government, intruded into vacant churches, without an orderly call from the heretors and eldership of the paroch, and a legal admission from the presbytrie, within whose bounds the saids churches lies: As also, to take some effectual course for stopping and hindering these ministers, who are, or shall be hereafter deposed by the judicatories of this present established Church; from preaching or exercising any act of their ministerial function, which they cannot do after they are deposed, without a high contempt of the authority of the Church, and of the laws of the kingdom establishing the same.

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## XXVII.

Act concerning the Church. July 16, 1695.

Our Sovereign Lord, being sensible of the hurt and mischief that may ensue, upon the exposing of the peoples minds to the influences of such ministers, who refuse to give the proofs required by law of their good affection to the government; and withal desirous, that in the first place, all gentle and easie methods should be used to reclaim men to their duty, whereby the present establishment of this Church may be more happily preserved, the knowledge of the truth, with the practice of true piety more successfully advanced, and the peace and quiet of the kingdom more effectually settled: hath thought good to allow, and with advice and consent of the estates of parliament, hereby allowes to all ministers that were at the time of his Majesties happy accession to the crown, and have since continued actual ministers in particular paroches, and no sentence either of deposition or deprivation past against them, and have not yet qualified themselves conform to the act of parliament 1693, intituled, act for taking the oath of allegiance



and the assurance, a new and farther day,—viz., the first of September in this present year 1695, to come in & to take the said oath of allegiance, & to subscribe the same with the assurance betwixt & the said day, and that either before the sheriff, or sheriff-deput of the shires, or the provost or bailies of the respective burghs, or any other inferior magistrat of the bounds where they live, or before any privy councillor, with a certificat under the hand of the inferior judges, or privy councillor, to be reported to the lords of his Majesties privy council, or their clerk within the space of twenty-one days after the dato of the said certificat: Declaring that all such as shall duly come in and qualify themselves as said is, and shall behave themselves worthily in doctrine, life and conversation as becomes ministers of the gospel, shall have and enjoy his Majesties protection, as to their respective kirks and benefices or stipends, they always containing themselves within the limits of their pastoral charge within their said paroches, without offering to exerce any power, either of licensing, or ordaining ministers, or any part of government in general assemblies, synods, or presbyteries, unless they be first duely assumed by a competent Church judicatory; in which case it is hereby farder declared, that the foresaid ministers first qualifying themselves as above, may be assumed by the respective Church judicatories to which they belong, and shall apply to partake with them in the present established government thereof: Providing nevertheless, that as the said ministers who shall qualifie themselves as said is, are left free to apply or not, to the foresaid Church judicatories: So the said Church judicatories are hereby also declared free to assume, or not to assume the foresaid ministers though qualified, as they shall see cause: With certification, that such of the said ministers, as shall come in betwixt and the said day, are hereby, and by the force of this present act, *ipso facto*, deprived of their respective kirks and stipends, and the same declared vacant without any further sentence. And his Majesty being purposed, that his grace shall be still patent to all; doth further declare and statute, with consent foresaid, that at what time soever any minister, either settled in a church or not, shall upon application, be judged fit to be assumed by any competent Church judicatory as said is, the foresaid minister, upon a certificat thereof from the said judicatory, shall be admitted and allowed to qualify himself, by taking the oath of allegiance, and subscribing the same with the assurance in manner foresaid, albeit the said first of September be past and elapsed. And his Majesty, with consent foresaid, allows, declares, and statutes as above, any thing in the foresaid act 1693, or in the other act of the same session of parliament, intituled, act for settling the quiet and peace of the Church, notwithstanding. And his Majesty with consent foresaid, for the greater encouragement of all ministers of the gospel, not only ratifies the act of parliament 1669, forbidding all suspensions of special decreets and charges for ministers stipends, or the rents of their benefices, except on production of discharges, or upon consignation in manner therein provided: But further statutes and ordains, that there be no advocacy, or sist of process granted of actions for the said stipends, or rents of benefices when pursued before inferior judges, and that in the case of a decreet, there be neither suspension nor sist of execution granted, except on production of clear discharges or consignation as said is, & if any suspension be past, that the same be summarily discussed at the instance of the charger without abiding the order & course of the roll: & that if the letters be found orderly proceeded the suspender be also decerned at least in a fifth part more than the sums charged for, with what more the lords shall judge reasonable to be payed to the charger for his expense and damage,



and if any minister shall happen to pursue for his stipend by way of ordinary action before the lords, it is hereby farther ordained, that the same be summarily proceeded in, and discussed without abiding the course of the roll. And lastly, for a more ample declaration of an act made in this session of parliament, for encouraging of preachers at vacant churches be north Forth, his Majesty with consent foresaid, extends the same not only to preachers who are not settled in churches, but also to such ministers who though settled in churches, are yet sent from time to time from any presbytery or synod of this Church, without their own presbytery, to supply the said vacancies, to the effect, that the said ministers settled, as well as the said preachers not settled, may equally have the benefit of the said act, in the terms thereof.

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## II.

### Act for Preventing of Disorders in the Supplying and Planting of Vacant Churches. August 30, 1698.

Our Sovereign Lord, with advice and consent of the estates of parliament, for remedying the godless abuse of rableing, that of late hath so frequently happened in opposition to ministers orderly sent to supply vacant churches, and for facilitating of the supplying and planting of vacant churches, and removing all impediments and disorders, that may obstruct the same, strictly prohibites and discharges all persons whatsoever, to make any opposition by rableing, tumult or any other manner of violence, to any minister lawfully authorized and sent to preach at any vacant church within the kingdom, either for supplying of the said vacancy, or to exerce the ministerial function as fixed minister of the paroch, and that under the pains of a hundred lib. upon every heretor or liferenter, and of fifty merks upon any other unlanded person *toties quoties*, and for such delinquents as are not able to pay, that they shall be punished in their persons, as the lords of privy council shall see cause; and farther for the better repressing of the foresaid opposition by rableing, tumult or any other manner of violence. His Majesty with advice and consent foresaid, ratifies and extends to the cause thereof, the seventh act of the parliament 1633, intituled, act anent invading of ministers, and that in manner and with the alterations following: And therefore statutes and ordains, that wherever any such rableing or tumult happens, the heretors and liferenters in whose bounds whether within or without the paroch, any of the persons delated and accused as guilty of, or accessory to the same duels or resides, shall be holden upon intimation made to them by the minister injured, or by any in name of the presbytery who sent him, to produce the foresaid persons guilty, and that they may be conveyened before the lords of his Majesties privy council for that effect. Certifying the saids heretors and liferenters, that if they either failzie to produce the saids persons, if residing within their bounds when the foresaid intimation shall be made, or if they shall suffer the saids persons withdrawing or absenting the time of the said intimation, thereafter to reside and haunt openly within their bounds by the space of twenty days; then and in these cases, the saids heretors and liferenters shall be esteemed connivers with the delinquents and lyable as guilty, art and part with them in their foresaid delinquency; and because notwithstanding of the act and proclamation of council made in the year 1690, for the delivering of the keyes of vacant churches to the presbyteries, or the persons having their order, the persons havers thereof do shift the same from hand to hand: Therefore his Majesty with advice and consent foresaid, statutes and ordains,

that where and whenever after requisition made by the presbytery to the beddel or havers of the saids keyes, the same are refused and not given up, then the next magistrat, sheriff, lord of regalitie or bailie and their deputs, or any justice of peace when required by the presbytery or any from them, shall repair to the said kirk, and there make open and patent the doors thereof and put new locks upon the same, and deliver the keyes to the said presbytery or their order, for their free use making of the same; certifying the said inferior magistrat who shal refuse when required, to make the church patent in manner foresaid, he shall be lyable in the fine of one hundred pounds Scots to be inflicted upon him by the lords of privy council for the use of the poor of the paroch, by and attour the presbytrys expenses.

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## II.

### Act for Securing of the Protestant Religion, and Presbyterian Government. November 23, 1700.

Our Sovereign Lord, with advice and consent of the estates of parliament, ratifies, approves, and perpetually confirms, all laws, statutes, and acts of parliament, made for the establishing, maintaining and preserving of the true reformed Protestant religion, and for the true Church of Christ, as at present owned, and settled within this kingdom; as likewise for establishing, ratifying & confirming the Presbyterian Church government & discipline: That is to say, the government of the Church by kirk sessions, presbyteries, provincial synods, and general assemblies, to be agreeable to the Word of God, and the only government of Christs Church within this kingdom; and particularly without prejudice of the generality foresaid, his Majesty with advice and consent foresaid, ratifies, approves, and confirms the fifth act of the 2d session of this current parliament, intituled, act ratifying the Confession of Faith, & settling Presbyterian Church government, in the haill heads, articles and clauses thereof, as if at length herein set down; but prejudice nevertheles to the twenty seventh act of the fifth session of this present parliament, intituled, act concerning the Church, as to the allowance therein given to certain ministers not actually assumed by the ordinary Church judicatures, under the conditions and provisions always exprest in the foresaid act.













